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Pàrlamaid na h-Alba

Official Report

MEETING OF THE PARLIAMENT

Tuesday 25 February 2014

Session 4

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Scottish Parliament

Tuesday 25 February 2014

[The Presiding Officer *opened the meeting at 14:00*]

Time for Reflection

The Presiding Officer (Tricia Marwick): Good afternoon. The first item of business this afternoon is time for reflection. Our time for reflection leader today is the Right Rev Lorna Hood, the Moderator of the General Assembly of the Church of Scotland.

The Right Rev Lorna Hood (Moderator, General Assembly of the Church of Scotland): Thank you—it is a pleasure to be here.

A man hurries into the storage area of a town's food bank. The people there recognise him as someone who had food delivered to his house just a few weeks ago. On their guard, they are about to quiz him, but he smiles and signals to the van outside, and his wife and four children emerge, carrying half a dozen carrier bags. He says, "You helped me when I was at my wits' end. Now I am back on my feet—please help some others." That is one of a number of stories that I could have shared with you from the various visits that I have made, both at home and abroad.

My theme for the year has been hope, and part of my journey has been to visit places where there is hopelessness and despair, in Romania, Greece and, I am ashamed to say, Scotland, and where people are caught in a spiral that ultimately leads to debt and retreat to modern day moneylenders. Many of the people we met were honest and desperate to be hard working, but so many epitomised hopelessness. Yet, even in that hopelessness, we witnessed hope—hope that was evident through so many ordinary people, who saw their witness of the Christian faith issuing in action.

I am privileged to represent the largest denomination, the Church of Scotland, but, more than that, I am part of a faith that follows one who said:

"When you do it to the least you do it to me".

The Old Testament concept of justice was *misphat*, which means not simply that the good are rewarded and the bad punished, but rather a society that cares for the vulnerable—those who are fragile. You are in politics because you want to see a society that is just and fair. The end goals, I hope, are the same, but we may differ from our different perspectives and even political standpoints in how we think we achieve that. We

seek to walk with you and we need to work in partnership.

We are present in every part of Scotland, in the varied situations and problems of every area of life, working independently and alongside other faith communities to seek the best for all our people. That is why we can call ourselves a national church. Regardless of the outcome in September 2014, we will continue in every part of Scotland to play our part and to work with you. We see it as serving our Lord and master—no more and no less. May God bless you all.

Business Motions

14:04

The Presiding Officer (Tricia Marwick): The next item of business is consideration of business motion S4M-09141, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Public Bodies (Joint Working) (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Public Bodies (Joint Working) (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limit indicated, that time limit being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended (other than a suspension following the first division in the stage being called) or otherwise not in progress:

Groups 1 to 4: 40 minutes

Groups 5 to 8: 1 hour 20 minutes

Groups 9 to 11: 2 hours

Groups 12 to 15: 2 hours 30 minutes.—[*Joe FitzPatrick.*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S4M-09146, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revision to today's business programme.

Motion moved,

That the Parliament agrees—

(a) the following revision to the programme of business for Tuesday 25 February 2014—

delete

5.00 pm Decision Time

and insert

5.45 pm Decision Time

(b) that Rule 2.2.5(a) of Standing Orders be suspended for the purpose of allowing the Parliament to meet beyond 5.30 pm on Tuesday 25 February 2014.—[*Joe FitzPatrick.*]

Motion agreed to.

Parliamentary Bureau Motion

14:05

The Presiding Officer (Tricia Marwick): The next item of business is consideration of a Parliamentary Bureau motion. I ask Joe FitzPatrick to move motion S4M-09105, on committee membership.

Motion moved,

That the Parliament agrees that—

Alex Rowley be appointed to replace Richard Baker as a member of the Local Government and Regeneration Committee; and

Alex Rowley be appointed to replace Patricia Ferguson as a member of the European and External Relations Committee.—[*Joe FitzPatrick.*]

The Presiding Officer: The question on the motion will be put at decision time.

Topical Question Time

14:06

Energy Industry

1. Dennis Robertson (Aberdeenshire West)

(SNP): To ask the Scottish Government what plans it has to strengthen and support the energy industry. (S4T-00611)

The Minister for Energy, Enterprise and Tourism (Fergus Ewing): The energy industry remains a matter of huge and continuing importance to Scotland. We have made that clear on a number of fronts and in a number of ways, ranging from our continued attempts to prevent the United Kingdom Government from undermining renewables investment and security of supply as a result of its electricity market reforms, to our support for the oil and gas sector.

At lunch time, Oil & Gas UK launched its "Activity Survey 2014", which is a very welcome piece of research on the industry as a whole. It demonstrates the range of opportunities and challenges facing the North Sea oil and gas industry at this time. I agree strongly with the activity survey conclusions that while the North Sea holds significant potential, maximising the return from our oil and gas resources will require the appropriate business conditions for investment in exploration appraisal and development. The good news is that we have Sir Ian Wood's key recommendations on how to take forward the industry's regulation. Those recommendations should be implemented as soon as possible.

Dennis Robertson: The minister is aware that Norway has built up an oil fund worth £470 billion, which is the equivalent of £100,000 for every man, woman and child. Does the minister agree that the UK Government should apologise to the people of Scotland for squandering the oil and gas assets over the years? Does he also agree that we should get an oil fund for Scotland? If the UK Government does not set up such a fund, the only way of ensuring that we have the assets and the associated rewards is to have independence on September 19.

Fergus Ewing: I agree. Norway is a country of roughly the same size and population as Scotland. It has used the powers of independence to enormous advantage not only for current generations but for future generations of Norwegians for whom its oil fund is an investment that will create opportunities for that country for a long time.

On Dennis Robertson's question about the need for the UK Government to make an apology, we have been told by successive Westminster

Governments since the 1970s that North Sea oil and gas would run out in a matter of a decade. That was simply untrue. However, what is rarely appreciated is the corrosive effect that those false predictions have had on the expectations of young people who might otherwise have chosen to pursue a career in what has proven to be a world-leading industry.

Dennis Robertson: Yesterday, in Aberdeen, the Scottish Government announced the establishment of an oil and gas innovation centre. What does that development mean for the oil and gas industry and our young people?

Fergus Ewing: The First Minister announced the creation of an oil and gas innovation centre yesterday. As the member would expect, I have been working on the matter for some time. The centre will be industry led and industry driven.

We already have a remarkable degree of innovation among the several hundred excellent small and medium-sized enterprises in the oil and gas sector. The innovation centre, and the funding that the First Minister announced, will enable such enterprises, working in partnership with Government and universities and colleges, to achieve our potential and further drive forward success, pursuing the objectives that are set out in Sir Ian Wood's report, which was published yesterday.

Richard Baker (North East Scotland) (Lab): Today's Oil & Gas UK activity survey shows that although there is significant potential in the North Sea, the costs of production are increasing significantly. Can the minister provide further detail on plans in the white paper for supporting the industry in securing the billions of pounds that are required for decommissioning?

Fergus Ewing: As Mr Baker well knows, the fact is that investment in oil rigs and installations is made by the oil companies—they take the risks.

What Sir Ian Wood's report has identified is that the treatment of the oil and gas industry in the United Kingdom in the North Sea basin has been characterised by "fiscal instability", as Sir Ian put it. That has been the problem, allied with a second factor that Sir Ian identified, which is that the body that is entrusted with licensing and regulation has been underpowered—there are around 50 employees in the UK, as opposed to 200 in Norway and 100 in Holland—and simply has not had the people to do the job. It is difficult to see how that has been anything other than mismanagement, over a period of four decades.

Murdo Fraser (Mid Scotland and Fife) (Con): I am sure that the energy minister, who is a fair-minded person, will join me in welcoming yesterday's confirmation that the UK Government will invest £100 million in the carbon capture and

storage project at Peterhead, supporting jobs and creating new jobs in the north-east economy—another example of the union dividend.

Fergus Ewing: I agree that I am fair minded.

Members on the Scottish National Party benches, like members in other parties, have been campaigning for carbon capture and storage to be deployed for a long, long time, and we remember previous disappointments at Peterhead and Longannet. The opportunity that is presented by the enablement of CCS deployment technology to achieve our environmental targets has been impeded by a lack of ambition, which is sadly still the case today—

Murdo Fraser: What nonsense!

Fergus Ewing: It is not nonsense, as Mr Fraser said from a sedentary position. Professor Stuart Haszeldine, who is a world expert on CCS, says exactly the same thing as I said, as do all experts.

On the other part of Mr Fraser's question, of course we welcome the CCS project at Peterhead, but it needs to be coupled with further investment, as is happening with Summit Power. If Mr Fraser's question was about the affordability of the project, I ask him how affordable is the £35 billion investment in Hinkley Point, guaranteed for 35 years, and how affordable is the—I have seen this figure in the press, which means that it might or might not be true—£70 billion cost of decommissioning in relation to nuclear waste? Does Mr Fraser really think that those are examples of effective government under his union?

Willie Rennie (Mid Scotland and Fife) (LD): The Scottish Government used to tell us that the oil revenue would be used for welfare—then it was not for welfare. Then the Government told us that it was for capital investment—and then it was not for that. Now it appears that it is all to be used for a long-term oil fund. Is not the truth that it will all have to be used for the £15 billion needed for decommissioning in the North Sea, which Richard Baker mentioned? That is what would be expected of an independent Scottish Government; does not the minister realise the environmental consequences of failing to meet that obligation?

Fergus Ewing: I honestly do not think that the Liberal Democrats are in a strong position to complain about other parties not fulfilling their pledges—I will not mention tuition fees, but the memory is still there.

To address the member's question, of course we accept our responsibility on decommissioning. The question for Mr Rennie and the Westminster Government is whether we will lose the opportunity of the decommissioning industry to Norway. I can tell him that all the investment is

being made in Norway. The UK Government does not seem to have woken up to the fact that there is an industry that could generate £35 billion to £40 billion. I have been working with many parties to explore the opportunities and I hope that the UK Government will start to do that.

As for affordability, let us look at the decommissioning cost, which is estimated at between £35 billion and £40 billion. First, that is shared between Government and industry. Secondly, the UK Government has had £300 billion of revenue, so we are entitled to expect it to make a contribution therefrom to the cost of decommissioning the facilities that generated that revenue. Thirdly, the cost amounts to a tiny fraction of the total value of the revenues.

Our predictions have been endorsed by Sir Ian Wood's report, which says that there are 24 billion barrels. Instead of all the frustrating scaremongering that is still going on even after four decades, the main point is that we should focus on how we go forward with Sir Ian Wood's recommendations. He says that if we get the right policies and have a new regulator to replace the ineffective UK one, the prize is £200 billion over 20 years. Surely it makes sense to look forward, not back, and to analyse carefully what needs to be done, as the Scottish Government is doing by working closely with industry and trade union colleagues.

Patrick Harvie (Glasgow) (Green): One inconsistency in Scottish Government policy is the difference between Mr Ewing as energy minister, who wants to extract every last drop of fossil fuels, and Mr Wheelhouse as climate change minister, who accepts that at least a proportion of our fossil fuel reserves need to be left unexploited if we are serious about climate change. Weary though I am of hearing Mr Ewing avoid the question, I ask him how the Government intends to reconcile those positions. Both ministers cannot be correct.

Fergus Ewing: Not for the first time, we do not accept Mr Harvie's thesis. As he knows, I strongly disagree with it, for the following reasons. If we discover oil and gas in a field under the North Sea, what sense does it make to do as he asks and leave half of it unrecovered? The half that is unrecovered is locked out for ever because we cannot exploit it. Surely it makes more sense to recover as much as we can from each field before going on to the next one.

The Green Party used to say that we should steward the earth's resources, whether they be water or oil. Now, it seems to say that we should take out only half, leave the other half and go on to the next field. How on earth does that make sense?

While some of my colleagues were in Aberdeen yesterday, I was in Stornoway to convene a summit to discuss the connections to the Western Isles, Orkney and Shetland that are needed to deliver their potential as the best place in Europe, if not the world, to deliver renewable energy. I am afraid to say that we wait for the necessary policy interventions and other support that will enable that potential to be realised. I fear that, if we do not get them soon, the islands might be disconnected from the UK in a real sense.

Housing Benefit (Bellgrove Hotel Hostel)

2. John Mason (Glasgow Shettleston) (SNP):

To ask the Scottish Government what its position is on the report in the *Daily Record* about conditions at the hostel, the Bellgrove hotel, and, in light of such institutions being supported by public money, whether it considers that they should meet certain standards. (S4T-00607)

The Minister for Housing and Welfare (Margaret Burgess): I was shocked to read about the conditions in the Bellgrove hotel and I fully support Glasgow City Council's decision not to refer homeless applicants there. I make it clear that the Bellgrove hotel is not part of the temporary accommodation that is used to house homeless people in Glasgow.

The hotel is privately owned and operated. It operates under regulations that are the council's responsibility. I understand that it is licensed by the council as a house in multiple occupation, which means that the council must be satisfied that the landlord is a fit and proper person and that the property is managed properly. It is also the council's responsibility to ensure that appropriate environmental health standards are met.

Individuals who use the Bellgrove are generally not engaging with statutory services and are using their housing benefit allowance to pay for board-and-lodging accommodation. Housing benefit is, of course, an issue reserved to Westminster.

Due to the serious issues that are raised in the report, I have today written to the leader of Glasgow City Council, requesting a meeting to discuss the issues in further detail.

John Mason: The minister mentions HMO licences. Does she agree that an HMO licence is not subject to as rigorous scrutiny as the scrutiny that housing associations and care homes, which deal with similar people, are subjected to? Does she accept that the Care Inspectorate might have a role? It wrote to me on 15 October saying that it was still investigating whether there was a care element and whether it could get involved.

Margaret Burgess: We are looking into that at the moment. I understand that the Care Inspectorate does not think that it has a role

because the support services are not necessarily provided by the hostel. Nevertheless, we are looking into that and it will be one of the issues to be discussed when I meet Glasgow City Council. I appreciate the interest that the member has shown in the hostel for some time and want to get this resolved as satisfactorily as possible.

John Mason: I thank the minister for those assurances, but I express my frustration, which I hope that she shares, at the fact that, when I visited the hostel in 2011, 143 vulnerable men were living in pretty gruesome conditions. I find that totally unacceptable. The issue was raised by the BBC in 2000 and I have raised it with the Care Inspectorate and Glasgow City Council. In May 2012, I received a letter from Glasgow City Council, which said:

"The Council is actively looking at how we develop viable alternative accommodation for the service users who use the Bellgrove."

However, nothing has happened. Does the minister share my frustration?

Margaret Burgess: I well understand the member's frustration and appreciate that the issues are complex and not only to do with housing—there are issues with support services and a whole range of issues. That is why it is important to sit down and get to the bottom of this. We must identify what all the issues are and how we can work together to resolve them. I share the member's frustration that nothing has happened. We all saw what was in the *Daily Record* yesterday, and I am sure that nobody in the chamber thinks that it is in any way satisfactory.

Mary Fee (West Scotland) (Lab): Recently published figures show that there were 9,114 homeless applications between July and September last year and an increase in rough sleeping over the winter months coupled with 32,000 people on social housing waiting lists, all fuelled by a cut of 30 per cent to housing budgets. Does the minister agree that the Government has no vision for housing and will she commit to an action plan to tackle the crisis?

Margaret Burgess: No, I certainly do not agree that the Government has no vision for housing. I remind the member that Scotland is outperforming the rest of the United Kingdom in house building in every tenure. We will continue to do that and will take every possible action to increase our housing supply, as we have even though our budgets from Westminster have reduced. The Scottish Government remains committed to ensuring that all those who are assessed by local authorities as unintentionally homeless are entitled to settled accommodation—and let me be clear: the Bellgrove hotel is not part of that solution in any way.

Public Bodies (Joint Working) (Scotland) Bill: Stage 3

14:23

The Presiding Officer (Tricia Marwick): The next item of business is stage 3 proceedings on the Public Bodies (Joint Working) (Scotland) Bill. In dealing with the amendments, members should have copies of the bill as amended at stage 2, the marshalled list and the groupings of amendments. The division bell will sound and proceedings will be suspended for five minutes for the first division of the afternoon. The period of voting for the first division will be 30 seconds. Thereafter, we will allow a period of one minute for the first division after a debate.

Section 1—Integration schemes: same local authority and Health Board area

The Deputy Presiding Officer (Elaine Smith): Group 1 is on integration schemes: same local authority and health board area. Amendment 1, in the name of the cabinet secretary, is grouped with amendments 2 to 4, 7, 14, 19 and 63.

The Cabinet Secretary for Health and Wellbeing (Alex Neil): The amendments in group 1 relate to integration schemes, which deal with the agreement between the health board and the local authority on local integrated arrangements.

Amendments 1 to 4 seek to provide clarity regarding the details of financial calculations that must be included in the integration scheme, particularly in relation to large hospitals, such as Edinburgh royal infirmary and Glasgow Southern general, that serve the populations of more than one local authority.

Amendments 7 and 19 will ensure that Scottish ministers can require all necessary information to be included in integration schemes, and that they can ensure that health boards and local authorities are effectively bound into the agreements that they make in integration schemes.

Amendment 14 will ensure that ministers' approval of all prescribed matters in an integration scheme is required. It will provide an important safeguard to ensure, for example, that ministers have the opportunity to approve suitably robust clinical and care governance arrangements under integration.

At the stage 2 Health and Sport Committee meeting on 21 January, I gave my support to Rhoda Grant's amendments 216 and 218, which made changes to sections 12 and 15 of the bill to ensure that there would be consultation with professionals and other groups on matters relating to transfer of staff under those sections.

Neil Findlay (Lothian) (Lab): On amendment 63, will the appropriate trade unions be included in the consultation that will take place before a scheme is implemented?

Alex Neil: Yes. We have given a commitment to talk to the appropriate representatives of the staff side at all times.

At the same time, I gave an undertaking to the committee that the same provision would be inserted in section 36, which also makes provision for the transfer of staff. Amendment 63 seeks to insert that provision in section 36.

I move amendment 1.

Jim Hume (South Scotland) (LD): Local decision making and accountability are crucial if we want our health service to be integrated in a way that is suited to our local needs. Alex Neil's amendment 14 seeks to take out—at quite a late stage—information in any integration scheme that would not need to be approved by a minister. To me, that means that, if amendment 14 is agreed to, ministerial approval would be needed for integration schemes to be approved.

I have similar concerns about amendments 7 and 19, as they provide for ministers to be able to alter integration schemes as they see fit. The Convention of Scottish Local Authorities has argued that the bill is too prescriptive and that there should be more flexibility at local level.

As amendments 14, 7 and 19 would result in the centre taking even more power and might allow for less flexibility, I seek assurances from the cabinet secretary on local accountability for integrated schemes before I decide whether to support the amendments.

Alex Neil: I assure the member—I think that, in committee, members of parties were united on this point—that we want to ensure that as much localism as possible is built into decisions at locality level and at partnership level, particularly in relation to the commissioning plan and the strategic plan for each integrated scheme, as well as the arrangements for the integrated scheme itself. That is fundamental to the success of the bill's provisions as a whole.

I do not think that I need to say much more, as only one member had comments to make. I am happy to give Mr Hume the assurances that he sought.

Amendment 1 agreed to.

Amendments 2 to 4 moved—[Alex Neil]—and agreed to.

14:30

The Deputy Presiding Officer: Group 2 is on integration scheme: arrangements for complaints and advice. Amendment 95, in the name of Nanette Milne, is grouped with amendments 96 and 97.

Nanette Milne (North East Scotland) (Con): Complaints represent one of the ways in which people who are engaged at an individual level with services have their voices heard and access their rights. Everyone who makes a complaint about health and social care support and services in Scotland has the right to be listened to and have their concerns resolved as quickly and efficiently as possible. Most health boards and local authorities have developed clear and accessible complaints processes over a number of years to value the input of people who use support and services, and to ensure quality service provision that meets their needs. Listening to and learning from complaints can highlight where support or services need to be changed.

If integration is to produce seamless services for the people who use them, I agree with the Health and Social Care Alliance Scotland that health and social care partnerships must be required to provide a clear single route into complaints processes as that is one means of ensuring that the needs and experiences of service users can be listened to and learned from, and can help to drive improvement. Complaints processes are a key accountability mechanism to enable people to access their rights in relation to health and social care. Complaints handling arrangements have the potential to be further complicated through integration, but the bill makes no reference to the complaints process.

I decided not to move an amendment similar to amendment 95 at stage 2. I reserved my position after hearing the cabinet secretary say that a new social work complaints system is under development that

“will be more accessible, allow complaints to be completed far faster and produce a co-ordinated response for the complainant.”—[*Official Report, Health and Sport Committee*, 21 January 2014; c 4754.]

However, the Health and Social Care Alliance Scotland, which raised the issue with me, still believes that the bill would be strengthened by the inclusion of a reference to ensuring effective access to a complaints system. As the development of the new system is still work in progress, I lodged amendment 95 for Parliament’s consideration at stage 3.

I support Malcolm Chisholm’s amendments 96 and 97, which aim to ensure that those in leadership positions with expertise in delivering care will have a clear route to share their expertise

with integration authorities. The Government supported the involvement of medical and social work leads in its policy statements on secondary legislation at stage 2 and agreed to reconsider the place of senior nurses at stage 3. I would like to hear from the cabinet secretary that nurses, as well as doctors and social workers, should be similarly involved with integration authorities.

I move amendment 95.

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I support Nanette Milne’s amendment 95. However, my amendments 96 and 97 relate to the quality, safety and standards of service, which I am sure we all agree must be absolutely central to the integration reforms. Moreover, I think that regulated professionals with accountability for providing high-quality care should also be central, with structures that support them to deliver their responsibilities meaningfully. In view of that, it is regrettable that there is little if anything about care governance arrangements in the bill. Quite rightly, there is a great deal about financial arrangements and arrangements for the delegation of functions, but I think that there is a gap in relation to care governance. I think that the fairly modest amendments 96 and 97 would help to fill that gap.

The cabinet secretary might say that his policy statement on section 12, which clearly is not in the bill itself, refers to the clinical director and chief social worker being non-voting members of the integration joint boards. That is all well and good as far as it goes, but I think that we need something more explicit about exactly the advice that will be sought from them and the arrangements for that. However, there is a glaring omission—Nanette Milne referred to this point—because there is no mention of the chief nursing officer in relation to the policy statement on section 12 or, as far as I can see, in relation to any other policy statements or words of the bill.

As someone who made sure—if I am allowed to say that—that the chief nursing officer was a member of every national health service board, I am particularly concerned about this issue, as members will appreciate. However, to be fair, the cabinet secretary was also concerned when I lodged an amendment at stage 2 that was similar but not identical to amendments 96 and 97. At the end of his winding-up speech, he said:

“Mr Chisholm’s one point that is worthy of further consideration—”

it was rather unworthy to say that I had only one point—

“is about whether the chief nursing officer in each board area should be included in the list that is in the bill. I am prepared to consider a stage 3 amendment to that effect. I accept his point, as 43 per cent of health service employees in Scotland are nurses and midwives.”—[*Official*

Report, Health and Sport Committee, 28 January 2014; c 4811.]

Perhaps the health secretary forgot his words, so very helpfully I have proposed amendments about arrangements for seeking the advice of professional leads who are experts in the delivery of quality care. Crucially, the professional leads referred to in the amendments include the chief nursing officer.

Many partnerships may well make arrangements that are similar to what I propose, but I believe that primary legislation should set out minimum mandatory expectations. My amendments provide a minimum guarantee that those who are able to make professional judgments on the quality of care can support innovation and development, improve decision making and raise concerns where appropriate.

If, by any chance, I am taken by surprise and the cabinet secretary does not support my amendments, I would at the very least urge him to insert the words “chief nursing officer” into the policy statement on section 12 because, by his own admission at committee, that was a glaring omission. Obviously, however, I would prefer him to support the amendments.

Dr Richard Simpson (Mid Scotland and Fife) (Lab): I support all three amendments in the group. The issue of complaints systems is important.

The cabinet secretary will remember that, during consideration of the Patient Rights (Scotland) Bill, we had an extensive debate about introducing a new system based on the four Cs—compliments, comments, concerns and complaints—as a modification of the system that had been introduced in the state hospital. There is a danger that, without Nanette Milne’s amendment 95, we will end up with an increased landscape and increased complexity rather than reduced complexity. Her amendment, which means that we would at least have

“a single point of entry to complaints systems for all services”,

is an initial step, but in the longer term we must simplify the overall system, because even with the amendment, there will still be multiple points of entry for complaints. A person has to decide whether they are a patient, someone who receives social care or someone who receives social work assessment, and those are just three examples of the different systems that exist at present.

I also support Malcolm Chisholm’s amendments 96 and 97, particularly in respect of nurses. The bill, if nothing else, is about the integration of community services, and in modern community services, nurses are often in the leadership

positions. They need to be included, so I very much support amendment 97.

Alex Neil: First, I will deal with the complaints system. I recognise that the system for social work complaints is no longer up to date or adequate. That is why we are working to develop a new system that will be more accessible, better co-ordinated and quicker. I will use existing powers in relation to secondary legislation to make those changes, which is why we do not need any additional provisions in primary legislation. I already have the powers that I need to make the necessary changes.

I am confident that, when we make those changes, Nanette Milne and others will realise that the intention of her amendment 95 will be achieved under my existing powers. The bill is not the appropriate legislative vehicle in which to make changes to the complaints system, especially when we have not consulted on them as part of consideration of the bill. When I produce a final set of proposals, we will consult people before we implement them.

I agree with the spirit of Malcolm Chisholm’s amendments 96 and 97, as it is clearly fundamental that health boards and local authorities seek advice from health and social care professionals on all aspects of integrated service planning and delivery. However, I do not agree with the way in which the amendments seek to achieve that. I say again that we are on the same page. The only issue is how best to achieve our shared objective.

My first concern, which I described during the stage 2 sessions in committee, is that I do not believe that it is appropriate to name some health and social care professionals in the bill but not others, and thereby to make a distinction between those who are named and those who are not. It is equally important that, for example, the views of the director of public health, general practitioner representatives and allied health professionals, among others, are sought and considered. I will expect integration schemes to describe the engagement process for all professionals and not just a few, as Malcolm Chisholm suggests.

Furthermore, amendments 96 and 97 do not include non-statutory partners in health and social care. To my mind, users and carers have a lead role in describing what a quality service should be, and the third sector is a significant provider of care services.

Malcolm Chisholm: I hear what the cabinet secretary says, but the fact of the matter is that the policy statement on section 12 specifically names the clinical director, who will be a doctor, and the chief social work officer. There is no logic whatsoever in not also naming the chief nursing

officer, at the very least in the policy statement on section 12.

Alex Neil: The logic is that a senior medic and a senior social worker in the role of chief social work officer had to be made clear in the bill, particularly in relation to the responsibilities of the chief social work officer, who has to attend partnership boards as part of their role. There is a distinction because the bill refers specifically to the statutory function of those two positions.

Integration schemes will be required to provide detail on the arrangements for engaging with those groups of stakeholders as well. I am prepared to specify, for example, the chief nursing officer in the guidance that we will issue after further consultation. As I said, if we start to name everyone in the bill, it will become very long and people who should be named will still be left out. It is therefore far better to specify those people in regulations and guidance than to name them in the bill.

Amendments 7 and 19 strengthen regulation-making powers with regard to the content and effect of the integration scheme, and I will ensure that we set out appropriate processes for the engagement of professionals and non-statutory stakeholders. We are on the same page. We are trying to achieve exactly the same objective, but it is better not to take those particular measures into the bill but to put them into guidance and regulations and, where appropriate, secondary legislation.

On that basis, I invite Nanette Milne to withdraw amendment 95 and ask Malcolm Chisholm not to move amendments 96 and 97.

Nanette Milne: This is beginning to sound a bit like a rerun of the Health and Sport Committee meeting at stage 2, when we were, “All on the same page, but—”

I hear what the cabinet secretary says about the complaints system; as we know, he said it at the committee as well. However, this is still a work in progress. We do not know what the new system will be, so I press amendment 95.

The Deputy Presiding Officer: The question is, that amendment 95 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division of the afternoon, the Parliament is suspended for five minutes, after which there will be a 30-second vote.

14:42

Meeting suspended.

14:47

On resuming—

The Deputy Presiding Officer: We move to the division on amendment 95.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)

Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 61, Abstentions 0.

Amendment 95 disagreed to.

Amendment 96 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 96 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)

Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 61, Abstentions 0.

Amendment 96 disagreed to.

Amendment 97 not moved.

The Deputy Presiding Officer: Group 3 is on local authorities and functions that may be delegated. Amendment 5, in the name of the cabinet secretary, is grouped with amendments 6, 98, 99 and 91 to 94.

Alex Neil: The bill at introduction permitted any local authority to be included in an integrated arrangement. I amended the bill at stage 2 to set out in the schedule to the bill the list of local authority functions that can be delegated under an integration scheme.

Amendments 5, 6, 94, 98 and 99 make minor adjustments to section 1 and the schedule to include functions conferred by virtue of an enactment as well as functions conferred directly by an enactment.

Amendments 91 to 93 make minor additions to the list of enactments set out in the schedule to the bill that confer functions that may be delegated.

I move amendment 5.

Amendment 5 agreed to.

Amendments 6, 98, 99 and 7 moved—[Alex Neil]—and agreed to.

Section 2—Integration schemes: two or more local authorities in Health Board area

The Deputy Presiding Officer: Group 4 is on minor and technical amendments. Amendment 8, in the name of the cabinet secretary, is grouped with amendments 106, 20, 21, 56 to 62, 124, 64, 83, 125, 88 and 90.

Alex Neil: The amendments in this group are minor and technical amendments to ensure that the bill is clear and ordered appropriately.

I move amendment 8.

Amendment 8 agreed to.

Section 4—Integration planning principles

The Deputy Presiding Officer: Group 5 is on principles. Amendment 9, in the name of the cabinet secretary, is grouped with amendments 100 to 102, 10, 103 to 105, 47, 108 to 110, 48, 111 to 113, 49, 118 and 89.

Alex Neil: The integration planning and delivery principles have been a key focus at stage 2, and rightly so, given that they provide the framework and ethos under which integration will be delivered.

The principles provide for a person-centred focus—putting the service user at the heart of service planning and delivery—and reflect measures of successful integration.

The bill aims to improve service delivery by integrating health and social care services for all users of these services. The principles must therefore apply to the whole population: adults, children, disabled people and people with dementia or learning difficulties. Indeed, many service users have multiple complex needs.

I am sympathetic to amendments lodged by other members in this group, but I cannot support them. I have taken many of the points raised at stage 1 and stage 2 into consideration and I

lodged a number of amendments at stage 2 to further strengthen the integration principles.

Amendments 10 and 48 in my name ensure that the rights of service users are taken into account and further embed a rights-based approach in the bill.

Nanette Milne's amendments 101 and 109 are not necessary. Amendments 10 and 48 in my name, together with the requirement to consider the particular needs of different service users, already take into account the abilities and wishes of service users.

Health boards and local authorities are already subject to statutory requirements and guidance in relation to assessment. However, given the importance of considering individuals' needs within an integrated approach to care, I intend to provide statutory guidance on this matter. The guidance will provide further support to health boards and local authorities to ensure that their understanding of "need" is appropriate.

In considering the use of the term "independent living" in amendments 100 and 108 in the name of Malcolm Chisholm, I accept and agree—as I noted at stage 2—that it is important to ensure that those principles and ideals are reflected in standards of planning, delivery and design of services. Terms such as "independent living" are, by their nature, potentially subject to changing or differing interpretation. The integration principles must apply equally to all users of health and social care services covered by the bill, not only vulnerable or disabled people. We will continue to embed the Scottish Government's vision statement on independent living for disabled people in all the work that we do, including as we take forward integration.

Including the need for access to independent advocacy services has not been consulted on with stakeholders and has not been costed. It is not clear how, or by whom, those services would be delivered, nor is it clear whether there is capacity within advocacy services in Scotland at present to service such a commitment.

On individual choice, it is important to distinguish between the requirements that the Social Care (Self-directed Support) (Scotland) Act 2013 places on local authorities to provide choice and control over social care services and the purpose of the bill, which is to bring together the responsibilities, accountability, delivery and planning for health and social care services.

Choice and control cannot apply equally to all service users in all circumstances and to all health and social care services under the bill. What is important is that the integration planning and delivery principles require the health board, local authority and integration authority to consider the

needs of service users and to plan for integration and to deliver services from the perspective of the service user. Therefore, I cannot support Malcolm Chisholm's amendments 104 and 112.

It is important that the care that people receive is delivered in a person-centred way. That is, they should receive the right care, at the right time, in the right place. That will, naturally, be different for different individuals and in different circumstances. We cannot take a simplistic, one-size-fits-all approach. However, good professional practice will, of course, include appropriate recording of hours to meet the needs of individuals.

We also cannot recognise one set of individuals who provide care and support over any other group, be they unpaid carers or paid staff in the employment of health boards, local authorities, third sector organisations or independent contractors. It is, of course, important that everyone who makes a contribution to good-quality care is recognised for doing so.

I assure members that I continue to meet many of the stakeholders who have expressed support for the opposition amendments in the group. I am fully committed to continuing that dialogue and to examining ways that we can build those considerations into regulations and guidance, but the opposition amendments in the group do not achieve the aims that they seek.

I ask Malcolm Chisholm not to move amendments 100, 103 to 105, 108 and 111 to 113; Nanette Milne not to move amendments 101, 102, 109 and 110; and Neil Findlay not to move amendments 49 and 89.

I move amendment 9.

The Deputy Presiding Officer: Before I call the next five members who wish to speak on this group, I ask members to show courtesy to the cabinet secretary and all members who are participating in the debate and take their conversations outside the chamber.

Malcolm Chisholm: Thank you, Presiding Officer. I apologise to you and the cabinet secretary. I think that I heard most of his speech, but there was a good reason why I had to leave the chamber after my previous speech: I handed in to the official report my notes for this speech, which is not an error that I recommend to members.

The reason why I needed my notes back is that on them is a definition of independent living that, I am told, has been accepted by the cabinet secretary, COSLA, NHS Scotland and the Scottish independent living coalition. In particular, it has been accepted in a document called "Our Shared Vision for Independent Living in Scotland".

A few moments ago, I heard Alex Neil say that there was no clear, indisputable definition of independent living. If I wanted to be unkind, which I never am, I could say that we spent a whole afternoon agreeing amendments about sustainable economic growth in a certain bill a few weeks ago, when it is generally agreed that there is no generally accepted definition of that concept. That did not stop the Scottish Government.

There is a more accepted definition of independent living that I will read out, because there is time. Independent living means

“disabled people of all ages having the same freedom, choice, dignity and control”—

choice and control will come up later as well—

“as other citizens at home, at work, and in the community. It does not mean living by yourself, or fending for yourself. It means rights to practical assistance and support to participate in society and live an ordinary life.”

I think, therefore, that there is an accepted definition of independent living, and I think that it would be helpful if it were in the bill. There is certainly a great demand for that from many groups. In the committee, it might have been suggested that only certain people have independent living, but we all have it. Obviously, however, disabled people have had to fight for it. They, in particular, would welcome the inclusion of the definition in the bill.

15:00

The same applies to the word “rights”. Again, I welcome the cabinet secretary’s change of heart. When I moved a similar amendment in the committee, he argued that it was not necessary to add particular words about rights in the bill because, clearly, all Scottish Parliament legislation has to be consistent with the European convention on human rights. In fact, however, there is a particular, rights-based approach to health and social care that was recognised by the Government in the Social Care (Self-directed Support) (Scotland) Act 2013 and, in committee, we simply asked why we could not also have it in the bill. We should commend the cabinet secretary’s movement on the issue, which means that we will have words in the bill about respecting the rights of service users. I seek to build on that by echoing words from the 2013 act, which refers to service users’ “right to dignity”, and to their

“right to participate in the life of the community in which

they live. Those are just slight changes to the words that the cabinet secretary has put into the bill, in order to reflect the rights-based language of the 2013 act. As he has taken the first step on rights, I hope that he will take the next step and accept those amendments.

My other amendments are about choice and control, words that I have already quoted and that have met with the cabinet secretary’s approval in that context. The key words in amendment 104 concern the service users’ right to participate in decisions. I think that we all accept that that is crucial to a person-centred approach to health and social care. One of the big changes that has gradually been taking place over the course of the past few years is the move from the old, paternalistic models of health and social care to those in which patients or service users or whoever have the right to participate. That is generally accepted, but I think that the words “choice” and “control” are also important. The question of who is capable and who is incapable of exercising choice and control is part of a long-standing, well-researched and well-rehearsed debate. However, what is important to state is that it is vital not to roll back the years of progress in extending opportunities for choice and control. There is plenty of evidence that, with the right support, even people with profound difficulties and impairments, as well as, of course, frail, older people, can exercise choice in their lives. I therefore reject what the cabinet secretary said in committee and repeated today about it not being appropriate to place certain people in such a category.

I support the other amendments in this group, including, obviously, Neil Findlay’s, and also Nanette Milne’s. Issues about advocacy were raised in the committee, but I accept the wording that she has suggested in amendment 102, about taking account of

“the need for access to independent advocacy”.

Nanette Milne: This group of amendments builds on a series of amendments at stage 2 that placed human rights principles more clearly at the heart of integration planning and delivery principles, giving respect to a person’s dignity and participation in the community, replacing the term “recipients of care” with “service users”, and amending the principles to ensure that service users, unpaid carers and those involved in health and social care from across the sectors are engaged in the planning and local delivery of services.

My amendments 101 and 109, by making explicit reference to people’s aspirations and abilities, as well as needs, and Malcolm Chisholm’s amendments 104 and 112, which refer to choice and control, more strongly reflect human rights and, particularly, a more person-centred approach, and strengthen amendments 10 and 48, in the name of the cabinet secretary, which I also support.

Also further embedding human rights in the legislation are Malcolm Chisholm’s amendment

108, referring to independent living, amendment 111, promoting service users' right to dignity, and amendment 113, regarding the right of service users

"to participate in the life of the community in which they live".

My amendments 102 and 110 would ensure that consideration was given to supporting service users through access to independent advocacy. An independent advocate can help people to express their own needs and make informed decisions, and speak on behalf of people who are unable to speak for themselves or who choose not to do so. Ensuring that independent advocacy is included for those who wish to access it would support the bill's aims and principles and help to ensure that the voices of individuals and communities are at the heart of the planning, design, delivery and review of services.

I await Neil Findlay's contribution on his amendment 49 before I decide whether to support it.

Neil Findlay: Amendment 49 will address one of the fundamental problems with the current social care system: poverty pay. Social care in Scotland is rapidly becoming a minimum wage sector. Councils that are hamstrung by underfunding and cuts to budgets and without the ability to set their own taxes are forced into externalising services and cutting the costs of contracts to third sector and other organisations. Voluntary groups tell us that they simply cannot and will not provide the services that are needed, because they cannot fulfil contracts at current prices. Councils are trying to make savings, but they can cut from the same cloth only so often.

A number of voluntary organisations tell us that they want out of the care sector altogether. That move is driven not by the needs of their clients but by their need to survive. Many want to speak out on that issue, but will not do so for fear of what would happen to their local and national funding.

Meanwhile, more than 40,000 home care workers are trying to exist on poverty pay; 40,000 people are paid below the living wage. The esteem in which the job is held is at an all-time low. Staff are often not paid for travelling time, some have to pay for their own phone calls back to their base, and training budgets have been slashed. In a society in which we pay footballers £300,000 a week, young care staff are paid as little as £5.13 an hour to look after our mums and dads, grannies and granddads, and elderly friends and relatives. That is a national embarrassment and a scandal that must be brought to an end.

Staff need to be rewarded in a way that protects the services that they provide, and that should be done by introducing the living wage. If the Scottish

Government does not implement the living wage for care staff across the country and fund local government appropriately to do so, Labour will. We introduced the minimum wage and we will introduce the living wage. [*Interruption.*]

The Deputy Presiding Officer: Order, please.

Neil Findlay: If the living wage is good enough for NHS staff, it is good enough for staff who support the same patients and clients when they return to the community. Therefore, I ask members to support amendment 49.

Amendment 89 seeks to end the culture of strict time-limited care visits. Last week, Unison released its "Time to care" survey, in which it reported that 56 per cent of its members who were questioned were on time-limited care visits. Many members complained bitterly about the pressures that they are under and the impact on those for whom they care. I hope that the cabinet secretary has read that shocking report; if he has not, I will give him a copy.

In its briefing on amendment 89, the Coalition of Care and Support Providers in Scotland reported that its members have a policy of refusing to tender for work that is on a 15-minute schedule because

"it does not align with their approach to care and support; others believe that they would not be able to provide an acceptable quality of service within this time frame, especially to people with complex needs; and others again have based their decision on their experience of providing 30-minute visits (with one member commenting that in their view, 15 minutes would be too short even for 'welfare' visits)."

It went on to say that 15-minute visits are

"increasingly a feature of care at home framework contracts."

Those comments come directly from the front line. We should listen to those concerns.

In a recent report, Age Scotland highlighted that care visits are now down to as little as seven minutes. I know that the cabinet secretary is a rather sprightly, fit young man, but I am sure that, even for an athlete such as he, washing, dressing, cooking, feeding and toileting would be a challenge in 15 minutes, never mind seven minutes. I urge people to think of the challenges that care workers face in trying to help people who have mobility problems or an illness such as cancer or dementia. Time and task visits run totally contrary to a person-centred approach. They run contrary to a human rights-based approach and common decency, dignity and respect.

If personalisation and human rights mean anything we have to change conveyor belt care, which is an affront to people's dignity and the staff who want to provide a good service but have

some of the worst working conditions of any group of people working in the health and social care sector. The duration of a care visit must reflect the needs of the client, which is what amendment 89 seeks to ensure. I hope that the cabinet secretary accepts that important amendment, as this issue and poverty pay are two of the most important elements that undermine the quality of care that is provided in Scotland, and they are largely ignored by the bill.

Gil Paterson (Clydebank and Milngavie) (SNP): As a member of the Health and Sport Committee, I have been pleased to work on the bill in committee at stages 1 and 2. The guiding principle has been for the bill to be person centred, to ensure that service users are at the heart of service planning and delivery.

With people in Scotland living longer and the number of people with complex illnesses increasing, there is a huge challenge ahead for our health service. To meet that challenge there must be a joined-up approach, which is why it is vital to integrate health and social care services, which are indeed person centred. If we do not do that, there is a danger that those who need support at a vital time could be missed or passed from pillar to post, without receiving the best service.

During stage 2, members lodged a number of amendments. After lengthy discussions we believed that those amendments would not strengthen the bill and we rejected them. I am still of that opinion, which is why I urge members to vote against the non-Government amendments before them.

Jim Hume: Malcolm Chisholm's amendment 100 and Nanette Milne's amendment 101 are useful and important additions to the bill. They focus us and the legislation on the fact that person-centred care is what we all want to achieve.

For once, I disagree with the cabinet secretary about the term "independent living", and I concur with Malcolm Chisholm. I add the United Nations to the list of organisations that recognise the term "independent living". The UN Convention on the Rights of Persons with Disabilities refers to independent living and we could not argue with the UN. The convention states:

"Recognizing the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices".

That is a strength of Malcolm Chisholm's amendment 100.

Nanette Milne's amendment 101 also recognises that person-centred care is a desired outcome of the bill. We know that beds are scarcer

now and that most people wish to be treated at home.

We will support Malcolm Chisholm's and Nanette Milne's amendments and in doing so we will put into legislation person-centred care and independent living as the focus of delivery.

Alex Neil: I will deal with the points that have been raised as comprehensively as I can.

I fully accept the intention of Nanette Milne's amendments, which are already reflected in the principles outlined at the start of the bill. To add to them at this stage would not be very helpful. A lot of the detail in her amendments would be more appropriately covered in regulations and guidance.

With regard to independent living, the bill's principles must apply equally and appropriately to all users of health and social care services under the bill, not just vulnerable or disabled service users. They must also apply to children, able-bodied adults who suffer injury or disease, older people in residential homes and adult prisoners. Although the Scottish Government and COSLA have signed up to an independent living vision statement, as Malcolm Chisholm said, it is an entirely different matter to set out in primary legislation a static definition. It is worth noting that the UNCRPD describes "living independently", so there are already different interpretations and definitions of "independent living".

15:15

Furthermore, it is proposed that the national health and wellbeing outcomes, which will be prescribed in secondary legislation, will have an outcome on independent living. Secondary legislation provides for more flexibility when legislating on matters that may change over time.

I have no issue at all with the principle of what we are trying to achieve. We are all on the same page and we are all trying to achieve the same objective. However, if we build certain definitions into law, that can work against the people we are trying to help and we can end up in a legalistic fight when we want to get on with the job of ensuring that the services are properly designed, planned and delivered.

Neil Findlay's amendments would not do what he said he wants to do. I will explain one of the reasons why, although it is not the only reason—and I support the living wage. Had the European Union's Lisbon treaty allowed it, the Procurement Reform (Scotland) Bill would have incorporated a provision whereby the providers under every public contract would have had to offer the living wage before they could even be considered for the tender. When we took advice, we were strongly advised by the European Union that that was

totally unacceptable under the terms and conditions of the Lisbon treaty. We therefore have to consider other ways to ensure a good-quality standard of living for people working in the social care sector. I fully accept the need to do more.

Neil Findlay: Senior figures in the European Commission, including its President, offer the Scottish Government a lot of advice, some of which it wants to ignore. Is it a choice as to which advice the Scottish Government listens to?

Alex Neil: We listen to advice from officials who are properly informed in the law; not everyone is, even at a very senior level.

That was the situation, and the Procurement Reform (Scotland) Bill could have been called in if we had included such a provision in it.

I absolutely accept the general principle that we have to do more in relation to people working in the social care sector, and we are in discussion with representatives of the sector about how best to do that.

Neil Findlay: Will the minister take another intervention?

Alex Neil: I will not take another one.

Neil Findlay: Will the minister take another intervention on that point?

The Deputy Presiding Officer: The minister has said no.

Alex Neil: I should gently point out to Neil Findlay that the situation would have been helped had the minimum wage been raised in line with inflation in recent times, which is not the case.

Neil Findlay: Will the minister take an intervention?

Alex Neil: I fail to understand why Neil Findlay is voting for a union in which the real-terms value of the minimum wage has been decreased, instead of voting for independence, when we have a commitment to raise the minimum wage in line with inflation.

Amendment 9 agreed to.

Amendment 100 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 100 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Baxter, Jayne (Mid Scotland and Fife) (Lab)

Beamish, Claudia (South Scotland) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Brown, Gavin (Lothian) (Con)
Buchanan, Cameron (Lothian) (Con)
Carlaw, Jackson (West Scotland) (Con)
Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
Davidson, Ruth (Glasgow) (Con)
Dugdale, Kezia (Lothian) (Lab)
Fee, Mary (West Scotland) (Lab)
Fergusson, Patricia (Glasgow Maryhill and Springburn) (Lab)
Fergusson, Alex (Galloway and West Dumfries) (Con)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Goldie, Annabel (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Harvie, Patrick (Glasgow) (Green)
Hilton, Cara (Dunfermline) (Lab)
Hume, Jim (South Scotland) (LD)
Johnstone, Alex (North East Scotland) (Con)
Johnstone, Alison (Lothian) (Green)
Kelly, James (Rutherglen) (Lab)
Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
Macintosh, Ken (Eastwood) (Lab)
Marra, Jenny (North East Scotland) (Lab)
Martin, Paul (Glasgow Provan) (Lab)
McArthur, Liam (Orkney Islands) (LD)
McCulloch, Margaret (Central Scotland) (Lab)
McGrigor, Jamie (Highlands and Islands) (Con)
McInnes, Alison (North East Scotland) (LD)
McMahon, Michael (Uddingston and Bellshill) (Lab)
McMahon, Siobhan (Central Scotland) (Lab)
McNeil, Duncan (Greenock and Inverclyde) (Lab)
McTaggart, Anne (Glasgow) (Lab)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Murray, Elaine (Dumfriesshire) (Lab)
Pearson, Graeme (South Scotland) (Lab)
Pentland, John (Motherwell and Wishaw) (Lab)
Rennie, Willie (Mid Scotland and Fife) (LD)
Rowley, Alex (Cowdenbeath) (Lab)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Scott, Tavish (Shetland Islands) (LD)
Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
Smith, Drew (Glasgow) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
Adamson, Clare (Central Scotland) (SNP)
Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
Allard, Christian (North East Scotland) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Biagi, Marco (Edinburgh Central) (SNP)
Brodie, Chic (South Scotland) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Burgess, Margaret (Cunninghame South) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Campbell, Roderick (North East Fife) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Dey, Graeme (Angus South) (SNP)
Don, Nigel (Angus North and Mearns) (SNP)
Doris, Bob (Glasgow) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)

Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 100 disagreed to.

Amendment 101 moved—[Nanette Milne].

The Deputy Presiding Officer: The question is, that amendment 101 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)

Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)

FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 101 disagreed to.

Amendment 102 moved—[Nanette Milne].

The Deputy Presiding Officer: The question is, that amendment 102 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)

Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 52, Against 64, Abstentions 0.

Amendment 102 disagreed to.

Amendment 10 moved—[Alex Neil]—and agreed to.

Amendment 103 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 103 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)

Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)

Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 61, Abstentions 0.

Amendment 103 disagreed to.

Amendment 104 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 104 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)

Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)

MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 104 disagreed to.

Amendment 105 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 105 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)

Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)

McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 105 disagreed to.

The Deputy Presiding Officer: I ask for order in the chamber when results are being given.

Section 5—Power to prescribe national outcomes

The Deputy Presiding Officer: We move on to group 6, on the national health and wellbeing outcomes. Amendment 11, in the name of the cabinet secretary, is grouped with amendments 12, 13, 119 and 87.

Alex Neil: Amendments 11 to 13, 119 and 87 relate to the provisions that enable the Scottish ministers to prescribe national outcomes for health and wellbeing.

Amendments 11, 12 and 87 clarify what the national outcomes for health and wellbeing are, as defined by the bill, and where they are to be found, for readers of the National Health Service (Scotland) Act 1978.

Amendment 13 will add housing stakeholders to the list of persons whom the Scottish ministers must consult before they prescribe national outcomes for health and wellbeing. It is particularly important to ensure a strong role for housing in integration. After all, it is our policy commitment to enable people to be cared for at home or in another homely setting for as long as possible. Amendment 13 provides that assurance.

Amendment 119 is a minor amendment that is consequential to amendments 11, 12 and 18.

I move amendment 11.

Rhoda Grant (Highlands and Islands) (Lab): I welcome amendment 13 and the involvement of housing providers. Providers of sheltered and

supported care have a lot to contribute to enable people to stay at home and be more independent for longer, so it is important that they are involved.

Amendment 11 agreed to.

Amendments 12 and 13 moved—[Alex Neil]—and agreed to.

Section 7—Approval of integration scheme

Amendment 14 moved—[Alex Neil]—and agreed to.

Section 11—Other staff of integration joint board

The Deputy Presiding Officer: Group 7 is on integration joint boards: staff, finances and so on. Amendment 15, in the name of the cabinet secretary, is grouped with amendments 16 to 18.

Alex Neil: Amendment 15 provides clarity with respect to the order-making power in section 11 to enable integration joint boards to employ staff other than a chief officer. The word “employ” is used, rather than “appoint”, to make it clear that what is envisaged under such circumstances is a relationship of employment.

Amendment 16 will remove section 11(3), because it is not considered necessary.

Amendments 17 and 18 reflect the position that the chief officer is accountable for all matters that relate to the integration joint board, and they enable the integration joint board to appoint an officer for matters of financial administration. The effect is to allow the integration joint board to place financial accountability in the hands of a finance professional, if the board agrees that that is appropriate, which will strengthen the financial governance of the integration joint board. Such an arrangement will not be obligatory—the chief officer can be the accountable officer for all matters, including financial administration—but the approach allows for local flexibility.

I move amendment 15.

Amendment 15 agreed to.

Amendment 16 moved—[Alex Neil]—and agreed to.

Section 12A—Integration joint boards: finance and audit

Amendments 17 and 18 moved—[Alex Neil]—and agreed to.

After section 18

Amendment 19 moved—[Alex Neil]—and agreed to.

Section 18A—Health funding: further provision

Amendment 106 moved—[Alex Neil]—and agreed to.

Section 19—Transfer of staff: effect on contract of employment

Amendments 20 and 21 moved—[Alex Neil]—and agreed to.

Section 20A—Carrying out of functions conferred on officers of local authorities

The Deputy Presiding Officer: Group 8 is on the carrying out of functions that are conferred on officers of local authorities and health boards. Amendment 22, in the name of the cabinet secretary, is grouped with amendments 23 to 31.

15:30

Alex Neil: The amendments will ensure that sections 20A and 20B operate in practice in the intended way. The deeming provisions in those sections are necessary to ensure that certain specific functions operate properly when health and social care functions are integrated.

Amendments 24, 26, 29 and 31 provide that the deeming provisions in sections 20A and 20B relate only to provisions that are prescribed by regulations. Amendments 22 and 27 are minor amendments to refer to functions that are conferred on local authority and health board officers by, or by virtue of, an enactment. Amendments 23 and 28 provide that, before the deeming provisions apply, any additional conditions that are prescribed by regulations must be satisfied. The amendments will make the position subject to further ministerial control, to ensure on a case-by-case basis that it is appropriate for section 20A(2) or 20B(2) to apply to a particular function.

Amendments 25 and 30 are minor amendments to ensure that sections 20A and 20B apply when an integration authority is a health board and local authority acting jointly, as provided for under section 42(d), so that staff of either body can carry out any function to which sections 20A and 20B apply.

I move amendment 22.

Amendment 22 agreed to.

Amendments 23 to 26 moved—[Alex Neil]—and agreed to.

Section 20B—Carrying out of functions conferred on officers of Health Boards

Amendments 27 to 31 moved—[Alex Neil]—and agreed to.

Section 22—Directions by integration authority

The Deputy Presiding Officer: Group 9 is on directions by an integration authority. Amendment 32, in the name of the cabinet secretary, is grouped with amendments 33 to 42.

Alex Neil: Amendments 32, 33 and 36 make it clear that a person who is carrying out a function under a direction from an integration authority is accountable for carrying out that function.

Amendment 34 clarifies finance matters as they pertain to directions and provides that, when a health board function that is carried out in a hospital that serves two or more local authority areas has been delegated, the direction must set out the amount that the health board has set aside for use by the person who is to carry out the function. Amendment 37 requires the direction to include instructions on how the amounts that have been set aside or paid are to be used.

Amendments 35 and 39 provide consistency with amendment 34. Amendment 38 provides consistency on liability, as set out at stage 2. Amendment 40 removes a redundant provision that is unnecessary to achieve the required effect.

Amendments 41 and 42 clarify the circumstances in which the Scottish ministers may make an order to provide that an integration joint board may decide not to issue directions as being when the Scottish ministers consider that an order would not only contribute to achieving the national health and wellbeing outcomes but further achieve the integration delivery principles.

I move amendment 32.

Amendment 32 agreed to.

Amendment 33 moved—[Alex Neil]—and agreed to.

Section 22A—Section 22: supplementary

Amendments 34 to 42 moved—[Alex Neil]—and agreed to.

Section 23—Requirement to prepare strategic plans

The Deputy Presiding Officer: Group 10 is on integration authority: strategic planning. Amendment 43, in the name of Rhoda Grant, is grouped with amendments 44, 107, 45, 46, 114 to 116, 50 and 117.

Rhoda Grant: Amendment 43 is about allowing people who require support packages to move with confidence between local authority areas. Currently, the person must live in a local authority area before he or she can be assessed for care. That prohibits people from moving because they

have no confidence in the services that they will receive, or in whether the services will be adequate for their particular needs.

People need to move for personal and work-related reasons, therefore it is important that when they make those decisions they have confidence that what they will receive from a service provider is adequate for their needs immediately, when they move. They also need to take into account the different rates that different local authorities charge for services. That must be factored in if they are moving for work-related reasons. The rest of us would factor in things such as pension payments, overtime and travel to work, but they need to factor in the cost of living within an area before they can make a decision. Therefore, it is important that they have that information as soon as possible when they start to consider such decisions. That is a basic human right that the rest of us take for granted.

We all know that moving house can be daunting and it is not a decision that we take lightly, but it is much more difficult for someone who is dependent on assistance to live their life. Amendment 43 would place on local authorities a duty to take into account the needs of service users who move into their areas. That must be put into action as quickly as possible to allow those people to make those decisions and to have informed choices.

Amendment 116 would ensure that a representative of service users and a representative of carers were placed on the strategic planning group. It is important that we embrace co-production. Care is not something that just happens to people; it is something that they should have control over in terms of both its design and what it helps them to achieve. They must have autonomy in that and they must be involved in how we design their care.

Person-centred care is widely recognised, but sometimes it is delivered in a paternalistic way. We need to recognise that when people need assistance to live and go about their daily lives, they are still entitled to live their lives as they see fit. Amendment 116 would put those principles at the heart of service design, so I urge members to support it.

I also support the other amendments in the group, especially Nanette Milne's amendment 117, which would involve the voluntary sector in the strategic plan, which I think is very important.

I move amendment 43.

Alex Neil: The amendments in the group relate to integrated strategic planning, which lies at the heart of the bill and the process of reform.

The aim of Rhoda Grant's amendment 43 is to improve portability of services when a service user

moves between two local authority areas. I am sympathetic to Rhoda Grant's concerns in that regard. When we updated guidance on the issue in 2010, we were made aware of how difficult it can be for people to move if they are not sure that the care services that they need will be in place when they move.

However, I do not believe that amendment 43 provides a workable approach to tackling that challenge. The provision of a service by a local authority to a service user is based on the person's physical presence in that local authority area, so a local authority cannot begin to provide services to an individual until the service user is physically present in its area.

As I said, however, I am aware of the importance of the issue. The bill will place a duty on integration authorities to have regard to the effect of their strategic plans on other integration authorities, which provides for the broad imperative that no integration authority can plan for and deliver care in isolation from others. The bill also places service users firmly at the centre of service planning and delivery and will embed their perspective within all the processes of co-production that it describes.

For those reasons, I cannot support amendment 43 and call on Rhoda Grant to seek to withdraw it.

Nonetheless, I commit to continuing to work closely with stakeholders and partners on guidance to ensure that local systems set up effective voluntary systems that work together to carry out assessments in advance of a person moving between local authority areas, especially for people who may move frequently, such as Gypsy Traveller communities.

The effect of Rhoda Grant's amendment 116 and Nanette Milne's amendment 117 would be to provide that the service user, a representative of carers and a broad range of third sector organisations would all be directly involved in strategic planning. The amendments are not necessary. At stage 2, I provided the Health and Sport Committee with policy statements that made clear my intention to set out in regulations which groups of people must be included in local strategic planning groups. Under those regulations, service users, carers and representatives of the third sector will be included. It would be disproportionate to list individual groups in the bill, while leaving the involvement of other key parties, such as health boards, local authorities, GPs and social care professionals, to regulations. Therefore, I do not support amendments 116 and 117 and call on Rhoda Grant and Nanette Milne not to move them.

I turn to the amendments in my name. Amendment 44 will ensure that, when an

integration authority sets out a start date for integration in its strategic plan, that date can only be earlier than the date that will be prescribed by the Scottish ministers for integration to begin.

Amendments 45 and 46 are minor amendments that will provide clarity that the integration authority must have regard to the effect of its strategic plan on services, facilities and resources used.

Amendment 50 makes it clear that the strategic planning group is the integration authority's, not the constituent authority's. It also allows for the fact that a health board may have representatives on more than one strategic planning group if it is involved in integrated arrangements with more than one local authority.

Amendment 107 will correct a reference to another section of the bill.

Amendment 114 is a minor amendment that will ensure that it is clear that it is the local authority that will nominate its representative on the strategic planning group.

Amendment 115 is a minor amendment that will ensure that it is clear that, when the integrated arrangement includes more than one local authority with a single health board, it is the local authorities that will nominate their representative on the strategic planning group.

Nanette Milne: Amendment 117 is, arguably, the most important of my amendments. It respects the third sector as a key strategic partner, alongside health boards and local authorities. The third sector forms a major part of the wider health and social care landscape, particularly in relation to preventative support, and it delivers more than a third of registered social care. As such, its role should certainly be clearly articulated in statutory guidance and secondary legislation, if not in the bill.

The Health and Social Care Alliance and many others have called, and continue to call, for third sector sign-off of strategic plans that are prepared by health and social care partnerships. They cite the fact that the sector's involvement in joint signing-off under the reshaping care for older people change fund has enabled many areas to overcome barriers to partnership and has been a key driver for the cultural change that is widely acknowledged to be the essential foundation of integration. The sector thinks that without its having a more formalised role there is a risk that the bill will not fully achieve its policy objectives.

Although the arrangements that amendment 117 proposes are not as strong as the joint sign-off arrangements under reshaping care for older people, the Health and Social Care Alliance has given its support to my amendment, which proposes that third sector organisations be invited

to express their views on draft strategic plans, and that those views would have to be taken into account. That would help to embed in the bill the role of the third sector as a key strategic partner.

I am happy to support Rhoda Grant's amendment 43, which would require strategic plans to set out arrangements for considering the needs of service users who move between local authority areas, and her amendment 116, which would give service users and carers representation on strategic planning groups. In addition, I am happy to support the cabinet secretary's amendments.

The Deputy Presiding Officer: No other members wish to speak, so I ask Rhoda Grant to wind up and to indicate whether she intends to press amendment 43.

Rhoda Grant: I say to the cabinet secretary that I understand that guidance is in place on portability of care, but it is not working. Legislation is necessary to address the issue.

15:45

The cabinet secretary said that local authorities cannot design a care package for a person until that person is living in the area. However, any of us who has experience of trying to bring together a care package for elderly parents or others knows how long it takes to decide. It is a real barrier and it stops people moving about, but surely that is part of their human rights. They cannot choose to move without knowing about the service that they are going to receive. I ask the cabinet secretary to reconsider and to support amendment 43, which would really put users and carers at the heart of the bill. It is a hugely bureaucratic bill that is all about systems and bodies, and how we set them up. However, if we are not delivering—

The Deputy Presiding Officer: Ms Grant—I am sorry, but can I stop you for a moment? There is too much chatter going on in the chamber. Can you pull your microphone around slightly, Ms Grant? Thank you.

Rhoda Grant: If we are not legislating in the bill for service users and carers and if it is not designed to make their lives better, then I do not know what we are here for. Therefore, it is important that they be at the very heart of the bill and on the face of the bill. I urge members to support amendment 42 as well as amendment 43.

The Deputy Presiding Officer: The question is, that amendment 43 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division in the group,

there will be a one-minute division. Please vote now.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)

Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 62, Abstentions 0.

Amendment 43 disagreed to.

Amendments 44 and 107 moved—[Alex Neil]—and agreed to.

Section 24—Considerations in preparing strategic plan

Amendments 45 and 46 moved—[Alex Neil]—and agreed to.

Section 25—Integration delivery principles

Amendment 47 moved—[Alex Neil]—and agreed to.

Amendment 108 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 108 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. This will be a 30-second division. Please vote now.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 61, Abstentions 0.

Amendment 108 disagreed to.

Amendments 109 and 110 not moved.

Amendment 48 moved—[Alex Neil]—and agreed to.

Amendment 111 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 111 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 62, Abstentions 0.

Amendment 111 disagreed to.

Amendment 112 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 112 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 62, Abstentions 0.

Amendment 112 disagreed to.

Amendment 113 moved—[Malcolm Chisholm].

The Deputy Presiding Officer: The question is, that amendment 113 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)

Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 113 disagreed to.

Amendment 49 moved—[Neil Findlay].

The Deputy Presiding Officer: The question is, that amendment 49 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Gavin (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Buchanan, Cameron (Lothian) (Con)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Carlaw, Jackson (West Scotland) (Con)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Davidson, Ruth (Glasgow) (Con)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Finnie, John (Highlands and Islands) (Ind)

FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Goldie, Annabel (West Scotland) (Con)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Johnstone, Alex (North East Scotland) (Con)
 Keir, Colin (Edinburgh Western) (SNP)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 39, Against 77, Abstentions 0.

Amendment 49 disagreed to.

Section 26—Establishment of strategic planning group

Amendment 114 moved—[Alex Neil].

The Deputy Presiding Officer: If members will stop the chat, I will ask the question, which is that amendment 114 be agreed to. Are we agreed?

Members: Yes.

Amendment 114 agreed to.

Amendment 115 moved—[Alex Neil]—and agreed to.

Amendment 116 moved—[Rhoda Grant].

The Deputy Presiding Officer: The question is, that amendment 116 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)

Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 54, Against 62, Abstentions 0.

Amendment 116 disagreed to.

Amendment 50 moved—[Alex Neil]—and agreed to.

Section 27—Preparation of strategic plan

Amendment 117 moved—[Nanette Milne].

The Deputy Presiding Officer: The question is, that amendment 117 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Baxter, Jayne (Mid Scotland and Fife) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Davidson, Ruth (Glasgow) (Con)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)

Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Urquhart, Jean (Highlands and Islands) (Ind)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 53, Against 62, Abstentions 0.

Amendment 117 disagreed to.

Section 30A—Review of strategic plan

The Deputy Presiding Officer: Group 11 amendments are on the review and replacement of the strategic plan. Amendment 51, in the name of the cabinet secretary, is grouped with amendments 52 to 55.

Alex Neil: These amendments will ensure that when a replacement strategic plan is produced following a review of the plan, the integration authority is subject to the same requirements as apply to the development of a first strategic plan. In other words, the integration authority must pay regard to the national outcomes for health and wellbeing and the integration delivery principles, along with the requirements on consultation, provision of information and publication that are set out in the bill in relation to strategic planning, when it is producing a replacement strategic plan.

Amendments 52 and 53 are drafting amendments

I move amendment 51.

Amendment 51 agreed to.

Amendments 52 and 53 moved—[Alex Neil]—and agreed to.

Section 30B—Requirement to prepare replacement strategic plan

Amendments 54 and 55 moved—[Alex Neil]—and agreed to.

Section 31—Carrying out of integration functions: general

Amendments 118 and 119 moved—[Alex Neil]—and agreed to.

Section 32—Carrying out of integration functions: localities

Amendment 56 moved—[Alex Neil]—and agreed to.

Section 33—Integration authority: performance report

Amendment 57 moved—[Alex Neil]—and agreed to.

Section 33B—Review of integration scheme

The Deputy Presiding Officer: Group 12 is on the review of the integration scheme and the impact on children. Amendment 120, in the name of Bob Doris, is grouped with amendments 121, 122 and 123.

16:00

Bob Doris (Glasgow) (SNP): These amendments were partly inspired by my meeting

parents at a Glasgow project, which was a children's inclusion partnership service jointly run by Barnardo's Scotland and Stepping Stones for Families in Maryhill.

Like many families across Scotland, many families in Maryhill who are living in poverty need the support that local children and family services provide. It is vital that the bill improves the services that they rely on. Throughout its scrutiny of the bill, the Health and Sport Committee has been considering carefully the potential impact of the bill on children's services.

I welcome the cabinet secretary's amendments at stage 2, which clarify that a number of options are available to health boards and local authorities as they consider whether children's services should be part of the wider integration agenda along with adult health and social care.

Whether children's services are moved into integration schemes or kept separate will of course be up to local decision making—that is absolutely right. However, it is particularly important that we do not create a situation in which transitions for young people who are moving from children's services to adult services become difficult or systems that do not integrate well or do not dovetail with each other.

Barnardo's Scotland argued at stage 1 that it was not always clear where the responsibility for children's services would lie, particularly in areas where integration authorities do not choose to take on responsibility for children's services. Barnardo's said at stage 1 that it was concerned that any confusion could create uncertainty. However, Barnardo's—like most other organisations—is fully supportive of the principles that underpin the integration agenda.

I seek a commitment from the cabinet secretary that he is willing to ensure that transitions do not become an issue and that, regardless of whether children's services are integrated or not, guidance will ensure that local authorities and health boards consider the impact of integration on children and children's services as they review their integration schemes in due course. I also seek a commitment that children's organisations will be involved as appropriate and as guidance is developed. I would welcome that reassurance. If those commitments are forthcoming, I will be content not to press the amendments in this group.

I move amendment 120.

Jim Hume: I recognise that Bob Doris wants to make a point about making children's rights a key part of the bill. That is a very good thing—children should be considered in any decisions that are made and I will support Bob Doris if he presses his amendments.

However, the cabinet secretary has already said in relation to Malcolm Chisholm's amendments on independent living that disabled people should not be highlighted for special treatment as the bill is about everybody. It should be a given that children will be considered in any health and social care integration, as should older people, disabled people, lesbian, gay, bisexual and transgender people, women and people from ethnic minorities—all sectors of our community, in fact. I am quite interested in why Bob Doris thought it necessary to have these amendments, which highlight only children's rights, but not other amendments to highlight other people's rights.

Alex Neil: The bill rightly provides for local flexibility for health boards and local authorities to include other services beyond adult health and social care in their integrated arrangements, such as children's services.

When statutory partners choose not to include children's services, that does not negate the need to plan effectively for those services; nor does it remove the need to ensure effective transitions between children's and adult services.

When children's services are included in the integrated arrangement, the integration planning principles require health boards and local authorities to take account of the needs of service users.

Similarly, the national health and wellbeing outcomes must be applied and taken into account for all users of services within the integrated arrangement when reviewing an integration scheme.

It is important that the planning requirements of the Children and Young People (Scotland) Bill and this bill are aligned, so amendment 84 in group 14 provides for that statutory link.

I also committed at stage 2 to ensuring that integration joint boards are included as partners in community planning under the community empowerment (Scotland) bill.

Further, under part 1 of the Children and Young People (Scotland) Bill, local authorities and health boards—among others—will be required to report on how they are addressing children's rights as set out in the United Nations Convention on the Rights of the Child.

I welcome the opportunity to assure Parliament that where statutory partners choose to integrate only adult services, appropriate mechanisms are in place and robust consideration has been given to the planning of other services. Statutory guidance will further strengthen those arrangements. I therefore hope that I have reassured Bob Doris on all the perfectly legitimate points that he raised. I hope that I have reassured

him that we are doing the right thing by our children. I therefore ask him to withdraw amendment 120 and not move amendments 121 to 123.

Bob Doris: Jim Hume made a reasonable point about singling out certain groups over others on the face of the bill. That said, Barnardo's and others want to ensure that guidance is appropriate and fully consistent with the ambitions contained in the bill. Given the comments that the cabinet secretary has made and the strong reassurances that he has given, I am minded to withdraw amendment 120 and not to move amendments 121 to 123.

Amendment 120, by agreement, withdrawn.

Amendment 121 not moved.

Section 33C—Requirement to review integration scheme

Amendment 58 moved—[Alex Neil]—and agreed to.

Amendments 122 and 123 not moved.

Section 34—Revised integration scheme

Amendments 59 to 62 moved—[Alex Neil]—and agreed to.

Section 35—New integration scheme

Amendment 124 moved—[Alex Neil]—and agreed to.

Section 36—Power to make provision in consequence of new integration scheme

Amendment 63 moved—[Alex Neil]—and agreed to.

Section 37—Information-sharing

Amendment 64 moved—[Alex Neil]—and agreed to.

Section 41A—Social Care and Social Work Improvement Scotland

The Deputy Presiding Officer (John Scott): Group 13 is on inspections by Social Care and Social Work Improvement Scotland and Healthcare Improvement Scotland. Amendment 65, in the name of the cabinet secretary, is grouped with amendments 66 to 82.

Alex Neil: The bill allows Healthcare Improvement Scotland and Social Care and Social Work Improvement Scotland, known as the Care Inspectorate, to inspect the co-ordination of health and social care services. Upon reflection, I do not think that that goes far enough. I have extended the remit to include the planning, organisation and

co-ordination of those services. That broader inspection framework will provide a better basis for scrutinising integrated services.

Amendment 82 allows HIS and SCSWIS, when undertaking a joint inspection, to invite other bodies mentioned in section 115(6) of the Public Services Reform (Scotland) Act 2010 to carry out an inspection with them.

I move amendment 65.

Amendment 65 agreed to.

Amendments 66 to 70 moved—[Alex Neil]—and agreed to.

Section 41B—Healthcare Improvement Scotland

Amendments 71 to 81 moved—[Alex Neil]—and agreed to.

Section 41C—Joint inspections of health services and social services

Amendment 82 moved—[Alex Neil]—and agreed to.

Section 41D—Amendments of section 56 of Local Government (Scotland) Act 1973

Amendment 83 moved—[Alex Neil]—and agreed to.

After section 41D

The Deputy Presiding Officer: Group 14 is on children's services planning. Amendment 84, in the name of the cabinet secretary, is the only amendment in the group.

Alex Neil: Amendment 84 will insert a new section after section 41, adding a new paragraph into the definition of "other service provider" in section 7(1) of the Children and Young People (Scotland) Bill, to add integration joint boards to that definition.

The amendment will ensure proper cohesion of the planning requirements placed upon statutory bodies under this bill and the Children and Young People (Scotland) Bill, by ensuring that those requirements apply to integration joint boards established under this bill.

I move amendment 84.

Bob Doris: When we debated my amendments in group 12, the cabinet secretary referred to amendment 84. The purpose of group 12 was to ensure that a review of health and social care integration would place the rights of the child and outcomes for children at its heart. I was reassured that that could be dealt with in guidance but, on amendment 84, I agree with the cabinet secretary that such matters need to be placed in the bill.

I very much hope that integration boards will choose to integrate children's services, if not in the short term then at some point in the future. Therefore, we must ensure that Government legislation in various areas is properly aligned and it is right to amend the newly passed Children and Young People (Scotland) Bill to ensure that, should children's services be integrated, the integration board that decides to do that is fully recognised in the Children and Young People (Scotland) Bill.

That is crucial for strategic planning and to ensure that the ambitions of the Children and Young People (Scotland) Bill are realised as part of the integration agenda.

I will support amendment 84.

Amendment 84 agreed to.

Section 46—Scottish Ministers: power to form companies etc

The Deputy Presiding Officer: Group 15 is on the Scottish ministers and the power to form companies. Amendment 85, in the name of the cabinet secretary, is grouped with amendment 86.

Alex Neil: Amendment 85 seeks to achieve the stated policy intention of allowing NHS bodies access to a range of joint-venture structures for the management and disposal of assets. It extends the purposes for which joint-venture structures can be formed by NHS bodies to include the management and disposal of assets.

The purposes for which NHS bodies can form joint ventures are closely defined in section 84B of the National Health Service (Scotland) Act 1978. Amendment 86 is a technical amendment that introduces a mechanism to provide future flexibility in the use of joint-venture structures by health bodies by allowing the Scottish ministers to make regulations prescribing additional purposes for which joint ventures may be formed. Such purposes must relate to health functions under the 1978 act.

I move amendment 85.

Nigel Don (Angus North and Mearns) (SNP): I speak as the convener of, and on behalf of, the Delegated Powers and Law Reform Committee.

I seek clarification and reassurance from the cabinet secretary on concerns that the committee has about amendment 86. This morning, the committee considered the stage 3 amendments to the bill that relate to delegated powers. There is an unusually high number of such amendments for stage 3, but the committee has concerns only about amendment 86.

In a letter to the committee, the Scottish Government explained that the amendment

conferred power on the Scottish ministers to prescribe purposes additional to those expressed in the bill for which they may form, or participate in forming, bodies corporate and participate in bodies corporate that are formed. The letter further explains that the power will enable ministers to adjust the purposes for which the Scottish ministers and health boards may form, or participate in, bodies corporate without the need for further primary legislation but that the power is limited in that the purpose must relate to the functions conferred by the National Health Service (Scotland) Act 1978.

However, the letter offers no further explanation of why the power has been taken and no explanation of why the need for the power has become apparent only at this juncture, nor is any explanation offered or are any examples given of how the power might be used.

In the absence of such an explanation or examples, the committee was unable to form a clear view on the appropriateness of the power contained in the amendment. Furthermore, the committee is unclear about the significance of the matters that might be provided for by the power and, therefore, unable to form a clear view on whether the negative procedure is the appropriate procedure to attach to the power or whether a higher level of parliamentary scrutiny would be more appropriate.

Therefore, I invite the cabinet secretary to provide further explanation of why the power is being taken, how it might be used, the significance of the matters for which it might be used and the appropriateness of the use of the negative procedure for regulations under the power.

Neil Findlay: Amendment 86 was a significant omission from the bill at stages 1 and 2 and should have been introduced then. It should not have been introduced at this late stage without having gone through any real scrutiny. Introducing the ability to form a company or a body corporate for a broad range of purposes without any real scrutiny is not the way to legislate. There may be perfectly legitimate reasons for forming such bodies, but the minister must respect Parliament and the parliamentary process when introducing legislation.

16:15

Alex Neil: I am happy to explain to the committee the reasoning behind the amendment.

The purpose behind section 84B of the 1978 act is to ensure that best value is obtained in the use of health service resources and that services can be provided in conjunction with other bodies, where that is in the interests of the public purse.

It is likely that the majority of purposes for which joint ventures are used will be covered by the wording of the 1978 act. However, amendment 86 is necessary to allow an expansion of the purposes for which joint ventures may be used, so as not to stifle innovation.

I can reassure members that this power is intended to be used for narrow purposes. The power of the Scottish ministers to prescribe purposes is constrained by the provision requiring them to be linked to the functions under the 1978 act. Given that restriction, and the intention to use the power to make narrow, technical changes to the purposes for which joint ventures are permitted, negative parliamentary procedure allows a sufficient level of scrutiny.

Examples of which joint ventures might be formed in future include the provision of shared services or support services in conjunction with local authorities, such as hard and soft facilities management, which would include non-NHS buildings services or services such as catering, vehicle maintenance and so on. The amendment will allow further, similar uses of joint ventures, which might otherwise be obstructed.

Section 84B was established for a particular purpose, and the key point is that, where innovation in this area becomes possible, seeking an appropriate primary legislative vehicle to amend the purposes that are set out in section 84B is restrictive. The amendment seeks to enable innovation and remove barriers and delay.

I hope that that provides the necessary reassurance to the committee convener and to the Delegated Powers and Law Reform Committee itself.

Amendment 85 agreed to.

Amendment 86 moved—[Alex Neil]—and agreed to.

Section 48—Interpretation

Amendments 125, 87 and 88 moved—[Alex Neil]—and agreed to.

Amendment 89 moved—[Neil Findlay].

The Deputy Presiding Officer: The question is, that amendment 89 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Baxter, Jayne (Mid Scotland and Fife) (Lab)
Beamish, Claudia (South Scotland) (Lab)
Bibby, Neil (West Scotland) (Lab)

Brown, Gavin (Lothian) (Con)
 Buchanan, Cameron (Lothian) (Con)
 Carlaw, Jackson (West Scotland) (Con)
 Chisholm, Malcolm (Edinburgh Northern and Leith) (Lab)
 Dugdale, Kezia (Lothian) (Lab)
 Fee, Mary (West Scotland) (Lab)
 Ferguson, Patricia (Glasgow Maryhill and Springburn) (Lab)
 Fergusson, Alex (Galloway and West Dumfries) (Con)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Goldie, Annabel (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Harvie, Patrick (Glasgow) (Green)
 Hilton, Cara (Dunfermline) (Lab)
 Hume, Jim (South Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Rutherglen) (Lab)
 Lamont, John (Ettrick, Roxburgh and Berwickshire) (Con)
 Macintosh, Ken (Eastwood) (Lab)
 Marra, Jenny (North East Scotland) (Lab)
 Martin, Paul (Glasgow Provan) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCulloch, Margaret (Central Scotland) (Lab)
 McGrigor, Jamie (Highlands and Islands) (Con)
 McInnes, Alison (North East Scotland) (LD)
 McMahon, Michael (Uddingston and Bellshill) (Lab)
 McMahon, Siobhan (Central Scotland) (Lab)
 McNeil, Duncan (Greenock and Inverclyde) (Lab)
 McTaggart, Anne (Glasgow) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfriesshire) (Lab)
 Pearson, Graeme (South Scotland) (Lab)
 Pentland, John (Motherwell and Wishaw) (Lab)
 Rennie, Willie (Mid Scotland and Fife) (LD)
 Rowley, Alex (Cowdenbeath) (Lab)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Drew (Glasgow) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Central Scotland) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Allard, Christian (North East Scotland) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Biagi, Marco (Edinburgh Central) (SNP)
 Brodie, Chic (South Scotland) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Burgess, Margaret (Cunninghame South) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Campbell, Roderick (North East Fife) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don, Nigel (Angus North and Mearns) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Eadie, Jim (Edinburgh Southern) (SNP)
 Ewing, Annabelle (Mid Scotland and Fife) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Ind)

FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Caithness, Sutherland and Ross) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Ingram, Adam (Carrick, Cumnock and Doon Valley) (SNP)
 Keir, Colin (Edinburgh Western) (SNP)
 Lyle, Richard (Central Scotland) (SNP)
 MacAskill, Kenny (Edinburgh Eastern) (SNP)
 MacDonald, Angus (Falkirk East) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 MacKenzie, Mike (Highlands and Islands) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West Scotland) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McLeod, Aileen (South Scotland) (SNP)
 McLeod, Fiona (Strathkelvin and Bearsden) (SNP)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robertson, Dennis (Aberdeenshire West) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Russell, Michael (Argyll and Bute) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Thompson, Dave (Skye, Lochaber and Badenoch) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wilson, John (Central Scotland) (SNP)
 Yousaf, Humza (Glasgow) (SNP)

The Deputy Presiding Officer: The result of the division is: For 52, Against 59, Abstentions 0.

Amendment 89 disagreed to.

Section 49—Subordinate legislation

Amendment 90 moved—[Alex Neil]—and agreed to.

Schedule—Enactments conferring on local authorities functions which may be delegated

Amendments 91 to 94 moved—[Alex Neil]—and agreed to.

The Deputy Presiding Officer: That ends the consideration of amendments.

As we have completed the consideration of amendments ahead of schedule, I am minded to take a motion without notice on behalf of the Parliamentary Bureau, under rule 11.2.4 of the standing orders, to bring forward decision time to 5.20 pm.

Motion moved,

That the Parliament agrees that, under Rule 11.2.4 of Standing Orders, Decision Time be taken at 5.20 pm.—*[Joe FitzPatrick.]*

Motion agreed to.

Public Bodies (Joint Working) (Scotland) Bill

The Deputy Presiding Officer (John Scott):

The next item of business is a debate on motion S4M-09115, in the name of Alex Neil, on the Public Bodies (Joint Working) (Scotland) Bill.

16:20

The Cabinet Secretary for Health and Wellbeing (Alex Neil): It gives me considerable pleasure to open the stage 3 debate on the Public Bodies (Joint Working) (Scotland) Bill, which brings together health and social care services in Scotland. It is particularly appropriate that the bill's development has been characterised by strong, committed effort—joined-up teamwork, in other words—by members across the chamber and in committee. If I may quote myself, I think that we have all been on the same page and trying to achieve the same things, even when we have disagreed about wording.

I particularly thank Duncan McNeil and the Health and Sport Committee, which was the lead committee, for their careful consideration of the bill. I also thank the Local Government and Regeneration Committee, the Finance Committee and the Delegated Powers and Law Reform Committee for their careful scrutiny, input and support. I pay tribute to the work of my team in the civil service, which has provided me, as it always does, with first-class support at every stage.

We have heard before today that it is much to the benefit of the bill that it draws on the commitment, co-operation and inspiration of a broad and deep range of partners and stakeholders across all sectors. Local government, the national health service, the third and independent sectors, professional groups and representatives of patients, carers, service users and families have all, in different and complementary ways, lent us their expertise, experience, ambitions and aspirations.

Our consultation on the proposals that underpin the bill received more than 300 responses, and the information sessions that we ran during the consultation exercise attracted roughly 900 attendees to the discussion and debate.

The bill as introduced in May last year yielded 85 written responses during stage 1, and the interests of many of our stakeholders and partners were represented during committee sessions at stage 2.

Last, but by no means least, our various working groups—particularly our bill advisory group and the ministerial strategic group on health and community care, both of which I chair—have been

active participants in the development process right up until today.

I signal my sincere thanks to everyone who has been involved so far—but the job is not yet finished, of course. I look forward to continuing to work with everybody as we develop regulations and guidance to support the bill and—most important—as we put integrated arrangements into place.

The whole point—indeed, the only point—of integrating health and social care is to improve people's lives. Even as we debate the bill, our focus is on improving outcomes for people who currently use health and social care services across Scotland.

The Public Bodies (Joint Working) (Scotland) Bill—perhaps that is not the sexiest name for a piece of legislation, albeit one that is very important—provides a legislative framework for integrating health and social care services. I remember that, at the start of the process, a former Labour minister advised me that we should stick to our guns to make joint working a statutory requirement for local authorities and health boards, because there have been many attempts in the past to integrate health and social care services with varying degrees of success—or lack of success. The statutory underpinning that we will provide is essential to ensuring that such integration works, and does so within a timeous period.

Neil Findlay (Lothian) (Lab): One thing that we can learn is that many of the advances that have been made where I live in West Lothian have been made without legislation. Much of the challenge is perhaps not so much about statutory change but about the cultural change in health and social care.

Alex Neil: Absolutely. West Lothian is a very good example of an area where integration has worked successfully under successive administrations. Unfortunately, I could give many examples of other local authority areas where that has not been the case. We need to put integration on a statutory basis so that the experience of West Lothian can be rolled out across the country.

The bill also sits very well alongside the Social Care (Self-directed Support) (Scotland) Act 2013, which was piloted through Parliament last year by my colleague Michael Matheson, and other policies, such as that in the Children and Young People (Scotland) Bill, which we passed last week, that drive forward our commitment to personalising care. By focusing on person-centred planning and delivery, the Public Bodies (Joint Working) (Scotland) Bill will help to ensure joined-up, seamless health and social care provision that will improve people's lives. It will support our

commitments to ensure that people get the right care in the right place at the right time and to support people to stay in their own home or another homely setting as independently as possible for as long as possible.

I will take a moment to remind members of the foundations of our approach. We are legislating for national health and wellbeing outcomes and we will underpin the requirement for health boards and local authorities to plan effectively together to deliver quality sustainable care services for the people whom they serve. We are bringing together the very substantial resources that we commit to health and social care in Scotland, to make it easier for local systems to deliver joined-up, effective and efficient services that meet the needs of increasing numbers of people with long-term and often complex conditions. Many of those people are older, but not all of them are, and an important feature of our approach is that local systems must integrate for all adults. In addition, those systems are free to choose locally to integrate children's services as well.

We are bringing together accountability for results across health and social care. Too often in the past, people have found themselves between systems when there is no division in their lives between what we have categorised historically as health needs and social care needs. The bill focuses on the whole person and the needs of the community in which they live. It places on statutory organisations co-ordinated planning and delivery requirements that radiate from people's needs, rather than expecting people to fit into historical patterns of service planning and delivery.

The bill is a response to the findings of the report of the Christie commission on the future delivery of public services that effective services must be designed with and for people and communities—and I believe that they should be designed by people and communities as well—not delivered on a top-down basis for administrative convenience. Also—and this is key—the bill will ensure a full and proper role for clinicians and other professionals in planning and delivering services. We have listened to concerns that that role has been lost or diluted in recent years, and we have responded. We recognise that the expertise and sharp-end experience of the professions and of people who use services must together guide the shape of services in future.

Locality planning arrangements under the bill provide the locus and opportunity for effective professional leadership of integration. We know from the evidence on integrated care that it is all about successful co-production: people working together to tackle challenges in innovative ways.

When it comes to health and social care support, our emphasis in Government is on

prevention. We know that a concerted effort to anticipate people's needs and prevent problems from arising in the first place is the way to improve outcomes.

The challenges are difficult. As we have worked with partners and stakeholders to develop the bill, we have not always agreed with one another. What is important, though, is that we have a shared goal: we know what our destination is and we have worked together to agree the route.

That work goes on. We have today released updated data on delayed discharges, which shows us clearly that although we have made great strides in recent years, we have more work to do to ensure that people receive the quality of care that we all want to be proud of in Scotland. Of course, we are not starting from scratch. We can already see many examples—we have just referred to some of them—of good partnership working across Scotland. I saw one this morning. Cowan Court in Penicuik in Midlothian is a brilliant example of an innovative approach to integrating housing, social care and healthcare. We need to build on and develop that good practice and increase the pace at which such facilities are rolled out across Scotland.

The bill provides the right foundation for those improvements, and it provides the imperative that I believe is needed to ensure consistent progress across the country. The bill offers a good and careful balance. It sets out the framework for integration and makes it a necessary requirement of health boards and local authorities to deliver effective integrated care. At the same time, it provides flexibility to allow local arrangements to respond to local needs and to encourage and enhance local innovation and leadership. I welcome this opportunity to provide further clarity on the bill, and to discuss the stage 3 amendments, which we have just completed.

When we pass the bill, we will significantly enhance both the health and the social care of the people of Scotland.

I move,

That the Parliament agrees that the Public Bodies (Joint Working) (Scotland) Bill be passed.

16:30

Neil Findlay (Lothian) (Lab): The issue of social care should be at the top of the political agenda in Scotland. As politicians discuss the intricacies of currency unions, European Union membership and all the rest of it, our elderly and vulnerable people are experiencing a care system that is in crisis as a direct result of cuts to local government.

We know that most people want to remain in their own homes when appropriate, among familiar people and surroundings for as long as possible. We also know that, over the next decade, the elderly population will increase significantly as we live longer lives—or as some of us live longer lives, depending on where we live and how rich or poor we are. We have to be careful when we speak about the issue. Increasing life expectancy is all too often spoken of in negative terms, with phrases such as “time bomb” and “burden” bandied about, but living longer also throws up tremendous work, leisure, travel and community opportunities for the older population. More people should have more time to enjoy a more fulfilling life and contribute to our society. We should all be careful about how we refer to our ageing population.

We cannot, however, get away from the fact that there will be financial and practical implications. Politicians and policy makers have to address those matters and plan for the situation now, not when it becomes a reality, although it is a reality at the moment. The bill will move us a bit down that road, but it has missed the real issues that are facing social care in the here and now. My frustration at the way in which the bill has progressed is that it has failed to address the deep-seated problems in the care system.

One of those is an issue that many of us perhaps want to avoid, which is money. The savings that the Christie commission identified that are supposed to be achieved by freeing up NHS beds through people remaining at home do not have a cat in hell's chance of being achieved under the current social care system. Organisation after organisation that I have met and spoken to has said, when asked the question, that the social care system is in a state of crisis.

In the care home sector in Edinburgh, 15 per cent of private care home places are out of commission, and the figure is 20 per cent in Glasgow and 15 per cent in Highland. All those places are out of commission because of concerns about standards. In Edinburgh alone, more than 100 NHS beds are blocked because there is no safe place for people to be discharged to, and I understand that there was further bad news on that today. A few weeks ago, a care home in Fife got top marks from an inspector one week and then, the next week, appalling levels of care were identified, and the same inspector regraded the home at a much lower level.

In home care, we have a social care system that is based on the minimum wage, with working conditions being driven down to the lowest common denominator, contract prices being forced down, training budgets being cut, a

recruitment crisis and staff morale on the floor. One carer told me recently:

“People only go into home care because they can't get another job and only stay long enough until another one is found.”

Last week, Unison Scotland published the very disturbing report, “Scotland—It's time to care. A survey of Scotland's homecare workers”. The report said that 56 per cent of staff surveyed said that they were on time-limited visits to their clients and that, although the visits normally lasted 15 minutes, some were as short as seven minutes. One worker said that it is

“Rush, rush, rush, I think they forget we are dealing with human beings, old ones at that.”

Another said:

“Clients are anxious they don't know which carer is coming from day to day”,

while another said:

“Clients are losing out, care is not given properly, clients are missed out or forgotten about, no one cares or listens to staff or our clients.”

Fifty per cent of care staff said that they do not get paid for the time taken to travel between clients, some said that they have to pay for their uniforms, others said that they have to pay for phone calls to their employer, and many said that they do not get breaks.

Another member of care staff said that the

“Service is not able to retain staff due to terrible wages, my work load has increased and I'm getting paid less.”

Another said:

“Before Christmas I ended up 2 weeks on sick leave, because I was doing 16-18 visits during long day and my body couldn't cope any more, I had to work although I was sick, and when I asked my manager to take half a day off I was told there is no one to cover my shift. My breaks were reduced to minimum and there was not even time for having hot meal during day.”

The report highlights that care visits are missed out, staff are asked to administer medication with almost no training and corners are cut at every turn. In short, it is a system in crisis at a time when the Scottish Government's white paper, “Scotland's Future: Your Guide to an Independent Scotland”, claims that we have “world-leading ... social care”. I ask the minister to come into the real world, speak to the people who are delivering care services and ask them whether the social care system in Scotland is world leading. I ask him to read the report and then reflect on that statement in the white paper.

We need to change how social care is procured and delivered. I support moves in the Procurement Reform (Scotland) Bill to omit the need for social care contracts to be advertised and for organisations to compete. If contracts are awarded

to the private sector or the third sector, that should be based not on price but on what added value can be offered. People who work in social care do a vital job that should have a career structure, a training regime and pay and status to match.

I hope that the bill will begin to move matters forward, but I fear that we have missed an opportunity to address the very real and deep-seated problems that exist in the here and now. Good practice takes place across Scotland, but if we do not get the basics right, the system will continue to fail our vulnerable people.

16:37

Nanette Milne (North East Scotland) (Con): I confirm that the Scottish Conservatives will support the bill at decision time. It is a better bill following the amendments that have been agreed to at stages 2 and 3—many of them from the Government—and I am pleased that the cabinet secretary has taken on board a number of stakeholders' and Opposition members' suggestions.

There is no doubt that, across the board, we have been seeking to achieve the best possible outcomes for adults who require health and social care services. However, there have been differences of opinion along the way on how best to reach that goal. Those have centred mainly on what should be in the bill and what should be in guidance and statutory regulation.

As I said at stage 1, I fully accept the necessity for the legislation because, despite many initiatives in recent years—some of them very successful—to secure better integration of health and social care, joint working between partners to bridge the gap between primary and secondary healthcare and between health and social care is still at best patchy across the country.

The bill is fairly technical. Basically, it sets the framework for the changes that are needed to achieve the joined-up services that are required by many adults in Scotland today and in the future if they are to remain in their local communities living a fulfilled and dignified life within their capabilities for as long as possible. That particularly applies to the increasing number of elderly people with multiple health problems, both physical and cognitive, who have complex care needs that require significant support from social services.

However, the legislation will be successful only if its fundamental aim of improving the wellbeing of care recipients is at the forefront of its implementation. That will require a change of culture and attitudes, and will depend on strong leadership at the local level and the full co-operation of people across many disciplines, with everyone focused on achieving the best possible

outcomes for those in their care. That is not a cheap option and it will involve some innovative thinking in service provision in an environment of ever-scarce resources. Neil Findlay makes a fair point about resources. In my city of Aberdeen, it is difficult to get home carers because of the competing high salaries in the oil industry.

Many people have been involved, at stakeholder and government levels, in the development of the bill, and all are to be congratulated on bringing it thus far, although much more co-operative work will be required to develop the statutory regulation and guidance that will determine the effectiveness of integration.

Much is already going on in different parts of the country to integrate health and social care services at the local level. Health and Sport Committee members have seen the enthusiastic commitment of staff in Highland and in West Lothian as they work to that end under the two different models in the bill. The work is on-going, but the commitment in Highland and West Lothian to person-centred care and the development of services that are focused on securing the best possible outcomes for people is encouraging. Different parts of Scotland are at different stages in the development of integrated services, and many areas are awaiting the statutory regulation and guidance, so it will be important to get that right.

There is no doubt that concerns remain about how the legislation will work on the ground. I mention three concerns, which the British Medical Association set out in its briefing for stage 3. First, there is a lack of clarity about the detail of the implementation of integration and there is a need for the Scottish Government to engage with organisations such as the BMA in the development of regulations and guidelines. Secondly, there is a lack of clarity on how the third sector will interface with the statutory bodies, to ensure a closer working relationship. The sector has a crucial role, at the strategic and local levels, in the planning, design and delivery of care. Thirdly, it is vital that general practitioners are embedded as key stakeholders in the reshaping of services, as the health secretary has promised and as I have said in the past. If that does not happen, GPs will walk away and the new system will be no more successful than the discredited community health partnerships that it replaces.

At the local level, all interested parties must be closely involved in planning the care services that are required. GPs, specialists in secondary care, nurses, allied health professionals, social workers, the third sector, service users and carers must all have an input into planning services so that they properly meet the needs of and achieve the best outcomes for people who require health and social

care and so that those people are able to live a life that is as fulfilled as possible in their local communities.

As I said, we will support the bill, but key to its success will be the guidance and regulation that underpin it. We will keep a careful watch on how that develops, and we will ask the cabinet secretary for updates on progress towards achieving the integrated services that our older population throughout Scotland deserves, now and into the future.

16:42

Aileen McLeod (South Scotland) (SNP): I am delighted to speak in support of the bill, which will implement substantial and wide-ranging reforms to how we deliver adult health and social care.

The Health and Sport Committee benefited from a wealth of collective experience and expertise from a wide range of stakeholders, including local government, the NHS, housing, allied health professionals and the third and independent sectors. Representatives provided invaluable written and oral evidence to the committee throughout our scrutiny of the bill, and we are grateful for their efforts.

I sincerely hope that those representatives feel, as I do, that their contribution helped us to reach a stage at which we have the legislative framework that will achieve the aim that the cabinet secretary set out when we first debated integrating health and social care services throughout Scotland: to improve outcomes for the growing number of people who need health and social care support, most of whom have multiple complex needs, some of whom are older and all of whom should have access to the right care, at the right time, in the right place.

I very much welcome the Government's recognition of the key role that housing has to play in improving the health and wellbeing outcomes of our citizens, not least given the policy commitment and 2020 vision of enabling people to be cared for "at home, or in a homely setting"

for as long as possible, and in a way that enables them to be as independent as possible, as the cabinet secretary said. I am therefore glad that housing stakeholders have been added to the list of persons whom the Scottish ministers must consult before they prescribe national outcomes for health and wellbeing.

Many members can point to good examples of integrated care in our areas. I recently visited the Crossroads Newton Stewart & Machars Care Attendant Scheme in Wigtown, in Dumfries and Galloway, which provides a range of services, including respite care, personal care, palliative

care and assistance with transport and shopping. The staff do a fantastic job in enabling more people to live independently, through close partnership working with social work services, the NHS, the community hospital in Newton Stewart, Marie Curie Cancer Care nurses, occupational therapists and other health professionals. Their services help to integrate the care that an individual receives. They already deliver care in a person-centred way, but of course they are working in one area of a large rural region.

The local council and the health board in Dumfries and Galloway have recognised the inherent strengths of existing arrangements, which already deliver measurable benefits. They also recognise that the locality is where we can make a big difference to people's outcomes. It is very much at the local level where service provision in the community is critical.

I have reflected before, as has the cabinet secretary, that the localities are where the action will happen and where important decisions will be made. The model that Dumfries and Galloway has chosen—of four localities that are based on the areas of the current area partnership committees—very much reflects that. There is broad agreement across the region that integration will produce a radical improvement at all levels of health and social care.

That is our ultimate aim. This evening's vote represents the culmination of a lengthy process of engagement, debate, scrutiny and amendment. I am confident that it will produce an outcome that we can all be proud of—an approach to adult health and social care that is genuinely seamless and responsive, with services that are firmly integrated around the needs of individuals, their carers and their families and which place people at the centre of service planning and delivery. That was the message that the Christie commission gave, and I believe that the bill will enable us to change how we deliver public services to meet the needs of people in our communities better.

I hope that members across the chamber will support the bill.

16:46

Malcolm Chisholm (Edinburgh Northern and Leith) (Lab): I welcome the bill and the changes that the cabinet secretary was willing to make at stages 2 and 3. For example, although he did not go as far today as I, disability organisations and other third sector organisations wished, he incorporated to some extent the language of rights into the bill.

At stage 2, the cabinet secretary addressed some of the problems that I and others highlighted

at stage 1 in relation to the financial arrangements. For example, the bill originally said:

“The Health Board must make a payment to the integration joint board”.

The fear was that that would reintroduce contracting arrangements, which we in Scotland put behind us several years ago. He changed the arrangement at stage 2 by introducing a reference to money being set aside. I welcome the changes that he made.

However, in welcoming the bill, we must not overstate the difference that it will make per se. It is a necessary but not a sufficient condition for making progress on better integrated care. As Alison Petch—perhaps the leading Scottish academic on community care—said to the committee a few months ago,

“legislation is not really what drives day-to-day delivery.”—*[Official Report, Health and Sport Committee, 10 September 2013; c 4205-6.]*

We can look at that from two points of view. As Neil Findlay said at various times today, wider issues must be addressed, such as the length of care visits. The other point is that what really drives change is culture change—that phrase has been used today and at other times—as well as leadership and bringing teams together on the ground.

The words “on the ground” are fundamental. In its briefing, which Nanette Milne just mentioned, the BMA uses that phrase when it expresses concern about

“the lack of clarity of what integration will actually ‘look’ like on the ground.”

It also says that

“the success or failure of integration will be the result of the effectiveness of the locality partnerships.”

In the committee, I expressed concern that the bill does not contain more on the locality arrangements. There is only one reference, in section 23, which says that the local authority area will be divided

“into two or more localities”.

We had quite a long debate about that in the committee, and it was reassuring to hear from the cabinet secretary that he will produce statutory guidance on localities. However, given that that is where the bill’s success or failure is to be determined, I think—like many others—that it is somewhat surprising that the bill does not contain more on the subject.

When I mentioned the issue at stage 1, I said that

“I would like it to be included in negotiations on the GP contract.”—*[Official Report, 26 November 2013; c 24890.]*

The fact that GPs were not involved sufficiently in community health partnerships was one of the fundamental reasons why they failed. I must take responsibility for that, although it is partly because of that experience that I am saying that more should be included in the bill.

Community health partnerships did not turn out exactly as I had envisaged them in terms of the locality arrangements, and I hope that things will be different this time. In the past few weeks, I have read that something was incorporated into the renegotiated Scottish GP contract about GPs’ role in the integration locality arrangement. If the cabinet secretary could say something about that in his winding-up speech, that would be appreciated.

The issue is not just about GPs, though, as secondary care clinicians must be involved on the ground as well. The bill is about integration that should be vertical as well as horizontal. The third sector—including disability organisations, which we should remember have a particular contribution to make—also needs to be involved on the ground, and it is on the ground where the bill will succeed or fail.

Yes, the bill is necessary, and we all agree that it is a step forward and we all hope that it will lead to the improvements that we want. However, as a final word, let us have the statutory guidance and regulations as quickly as possible. Processes must obviously be gone through, but one of the issues that I raised in committee was about regulations on what could not be handed over to the integration authority, as I heard concerns that local authorities and NHS boards will have to wait to see what they can put into the plans. Let us at least know as quickly as possible what is ruled out, and let us then leave it to health boards and local authorities to get on with the delivery on the ground.

16:51

Bob Doris (Glasgow) (SNP): As the deputy convener of the Health and Sport Committee, I thank all stakeholders who were involved in the bill process. I also thank the Scottish Government, which has been very willing to adapt and change the bill on the basis of representations that have been made to it.

I thought that an earlier speech was going to be about project fear but, to be fair to Mr Findlay, the member went on to talk about project care. I would like to stress that it is actually project health and social care. We have heard a lot about social care without hearing about the other side of the coin, and it is important to get that balance. Nevertheless, there is a meeting of minds and political will on the issue across all the political

parties. I am reminded of what Malcolm Chisholm said about what is going to happen at the coalface—I hope that I will have time to speak about that.

The bill—shortly to be an act—is not the change in itself but is designed to facilitate change. The change will be an end to cost shunting at a local level with the development of single budgets, so that, for example, the bed blocking that perhaps happened for financial reasons will no longer take place. The change will be the strategic commissioning or the co-production of integrated services. The change will be building on existing best practice and, just as important, redesigning services in every local area in a way that improves the health and social care outcomes of the people we represent.

Some of that change is happening right now through the change fund for older people, which is providing £300 million over four years or so to promote such change. Importantly, that money is to be spent only if it is agreed by both councils and health boards. They can and do work jointly when they are instructed to do so, and I am sure that there is a will to go further in addition to the statutory basis that the bill will introduce. It is also significant that the change fund requires sign-off by the third sector.

With the statutory underpinning of health and social care integration, a far larger single budget will come into play in the innovative service redesign right across health and social care. Although the third sector, as non-statutory bodies, will not have sign-off over that larger budget, I expect it at a local level to be directly involved in the co-production and, where appropriate, the co-commissioning of services and in looking at new ways of service delivery right across Scotland. Likewise, I expect our communities to have a direct say about what they want services to look like, and I expect other stakeholder professionals, whether allied health professionals or our GPs, to have a strong say as well.

With that in mind, I think that some of the points that the BMA has made are a bit oxymoronic. As soon as we start dictating what a local plan should look like, it is not truly a local plan. There has to be a degree of flexibility to allow the new body corporates that are coming online and all the stakeholders at local and strategic level to have their say, and to avoid their being presented with a fait accompli on the ground locally, which would not serve anyone's interests.

As Aileen McLeod did, I will finish by mentioning a good local project as an example of the good work that we want to see: the good morning project in Glasgow, which I know that the cabinet secretary has been to visit. As part of that project, older people get a daily telephone call from a

volunteer caller—who is called “a friend on the phone”—to ensure that they are okay, that they are not lonely and that they have no health needs that are going unmet.

I have no doubt that such innovative services keep older people safe, secure, happy and content in their own homes for longer and prevent them from presenting elsewhere, which would be a poorer outcome for them and a more expensive one, too. I want to see such initiatives on health and social care integration being implemented on the ground right across the country.

16:56

Jim Hume (South Scotland) (LD): Liberal Democrats have long called for the delivery of a commonsense approach of having health boards, local authorities and the third sector work more closely together to provide more joined-up care and better outcomes for patients. All sectors agree that the integration of health and social care is a move in the right direction that is needed if integrated, person-centred care is to be achieved.

We know that the incidence of emergency admissions has increased in the past few years and that the largest increase has been among the over-75 age group. That contributed to a 7 per cent increase between June 2012 and June 2013 in the number of bed days associated with delayed discharge patients. The fact that we have an ageing population and an increasing incidence of patients who present with multiple conditions makes such figures inevitable. They exist in a climate in which the number of staffed beds in the NHS has reduced dramatically over the past six years, which makes the problems of an ageing population and bed blocking all the more acute for the NHS.

The number of geriatric beds dropped from 7,500 in 2012 to 7,229 in 2013. In 2007, there were more than 9,000 geriatric beds. The number of staffed geriatric beds is the lowest in more than 10 years, while the number of emergency admissions of older people is at its highest level in that period. The Government is failing to meet the national indicator to reduce emergency admissions to hospital, and an Audit Scotland report found that at least 90 per cent of the patients who experienced a delay of more than three days were aged 65 or over. It is against that backdrop of the pressures and challenges that the NHS faces that integration is necessary.

In supporting the bill at stage 1, Liberal Democrats had some concerns that we felt needed further attention. It is critical that proper engagement is entered into with the NHS, local authorities and the third sector so that a truly integrated pathway delivers for the patient. Health

and social care partnerships must work with GPs, carers, the voluntary sector and the independent sector in a locality planning framework.

GPs talk about the fact that they very much welcome the bill but, worryingly, they are still unclear about what it will mean for them on the ground on a day-to-day basis. Therefore, we need to involve and engage GPs in the new integrated arrangements. One of the reasons why community health partnerships were not successful was that GPs were not engaged. In its submission, Glasgow City Council stated:

“without effective GP engagement, attempts to keep people in the community as opposed to within a hospital setting will be hindered. It cannot be stressed enough that the inclusion of GPs within the legislation is vital if the overall objectives of the Bill are to be achieved.”

The proportion of the NHS budget that goes to general practice fell from 9.47 per cent in 2004-05 to 7.78 per cent in 2011-12. If GPs are to play a more central role in a person's care by engaging with the new health and social care framework, the Government needs to acknowledge the demands that are being placed on their time against a backdrop of constricting budgets.

The legislation will mean nothing if it cannot be tailored to best fit the needs of the local population, using the knowledge of health and social care professionals working in communities. Indeed, the Convention of Scottish Local Authorities has argued that the bill's provisions are at times too prescriptive and detailed and that they should allow more flexibility at a local level to determine the shape and governance of the proposed partnership arrangements—hence my earlier concerns regarding ministerial powers versus local accountability.

I am glad that the minister stated in his opening remarks that the job has not finished and will continue. We shall therefore support the bill today.

The Deputy Presiding Officer: We move to closing speeches. I call Cameron Buchanan, who has four minutes, please.

17:00

Cameron Buchanan (Lothian) (Con): I am pleased to contribute to this afternoon's stage 3 debate and to support the Public Bodies (Joint Working) (Scotland) Bill, which perhaps does not have a sexy title, but is about removing barriers to better working between our public bodies. Given the potential that it holds for improved and more efficient services, it is indeed a welcome move by the Scottish Government.

However, I find it to be a bill of two halves. If I may, I will address the latter half first. Part 2 and onwards largely concerns barriers to existing working. There are already moves towards joint

commissioning of facilities—for example, with the hub initiatives—and large-scale procurement through National Services Scotland. However, ambition in this regard has been restricted in scope or blocked altogether due to the limitations of existing legislation. The bill is straightforward and adopts a commonsense approach by removing such restrictions for the future.

Part 1 of the bill is, however, another matter entirely, in that it is designed to deliver momentum towards integrated working and the statutory basis to facilitate it, which is a far more complex and ambitious proposition. As the cabinet secretary and my colleague Nanette Milne have pointed out, the bill provides a framework and an initial push.

However, it is widely accepted that there is also a need for a culture change. Already there are local authorities and health boards that are well down the road to integration, including NHS Lothian and the City of Edinburgh Council, West Lothian Council and Midlothian Council in my region. However, the picture is very different elsewhere, so the Government will have to maintain pressure if we are to see change and overcome the resistance to that change that undoubtedly exists.

That was borne out by the evidence of Professor Alison Petch to the Health and Sport Committee. She warned of the ignorance about one another's working that exists between the various professional groups. With so much of the detail still to be consulted on and confirmed, in particular around financial accountability and conflict resolution, the Government must ensure that no momentum is lost later, and it must press local authorities and health boards to commit to the integration process and, beyond that, to begin their strategic planning.

Even assuming that there is that vital impetus and the bill achieves better integration between health and social work, we already have evidence that that will not, in itself, be enough. I have learned quickly that with every new bill or subject in the Scottish Parliament there comes a complete set of new buzzwords and accompanying jargon. With this bill we have the word “disconnect”; the bill highlights the key disconnect in co-ordination between health and social care agencies. However, as Glasgow City Council pointed out in its evidence to the Health and Sport Committee, there is as much of a problem with co-ordination and working between primary healthcare professionals and those in acute care—that is, within the health profession. The bill does not directly address that, but it is vital to delivery of the type of change that we are looking for. Working within agencies is as important as working between agencies, especially if we are to achieve

the reduction in spending on hospital visits, and to focus more on community-based care.

There has been a good deal of comment from Malcolm Chisholm and others on how demographic changes—in particular the challenges of an ageing population—make the bill necessary. I think that we all agree that we must be smarter in our public spending; a co-ordinated focus on preventative spending is central to that. However, if we are to deliver a genuinely integrated, joined-up and person-centred approach, the bill must be the start of the process, and not the end. The real test of the legislation will be in the experiences of those who use our health and social care services. The overarching goals must be improved delivery, fewer delays, reduced waiting times and fewer non-scheduled hospital admissions. Those are the standards by which reform will be judged; the bill, though welcome, is just one step towards achieving them. However, we shall support the bill.

17:04

Rhoda Grant (Highlands and Islands) (Lab): I thank all the stakeholders who gave evidence to the Health and Sport Committee when we were scrutinising the bill. I also thank the committee clerks and the support staff for their assistance, and the Scottish Parliament information centre, which helped us very much. I give special thanks to the bill team, who helped us all to draft amendments for the bill. Without that help, we would have been in an even more difficult situation today in respect of lodging our amendments. I thank all the people who made it possible to do that.

We in the Labour Party support the general principles of the bill. We want a seamless service for users, who must be at the heart of the service in planning their own care to fit their needs and their life chances. I agree with Malcolm Chisholm about the bill being necessary but insufficient to make the change that we need. We need to go much further to properly integrate health and social care, and I agree with the cabinet secretary that there is much unfinished business in the area.

The catchphrase that the minister has used all the time as we have gone through the bill process is that we are “on the same page”. Some of us had hoped that the script on that page would be a little bolder, so we will continue to push for a bolder vision of integration of health and social care.

We need a change of culture. Nanette Milne mentioned that in her speech today, but it has run through the whole debate. The culture needs to change, but we cannot legislate for that.

We have to embrace co-production. The bill will improve that to an extent, but we have a huge

distance to go to ensure that the person is at the very centre of care—that they are at the heart of the legislation and how we deliver care. We provide services to allow people to go out and live their lives, so we cannot dictate to them how they should do that. They need to be at the centre of it, and that is where the culture change comes. It involves our recognising that their needs are much more important than the needs of the organisations and the people who deliver the care.

We have all heard stories of people being told what they can and cannot eat, what time they must eat, what time they need to get out of bed and when they have to go to bed. I have heard heartbreaking stories about situations in which parents are not even allowed to sit up with their teenage children of an evening because the parents have to go to bed long before they would put their children to bed. How can they parent their children under those circumstances? We need to look at how we deliver services in order to ensure that the needs of service users, their carers and families are met, and that their ambitions are met.

Neil Findlay talked about the Unison survey. I read it, and it makes stark reading, covering—as it does—what the people who deliver care services feel. They are underpaid and undervalued and they are not given enough time to care. They see what needs to be done, but they are not given the time to deliver it. We need to involve and value all workers who deliver care. Many members talked about GPs, including Jim Hume and Malcolm Chisholm, and we heard about the third sector and those who represent service users, but we must also consider care providers. Bob Doris mentioned allied health professionals. All those people are crucial. We have to remember that they are involved in delivering care and we need to respect their views and pay them accordingly. Caring should not be a Cinderella service. If we really value the people for whom we care, we need to ensure that we also value the people who deliver that care.

As I said, I agree with the cabinet secretary that there is much unfinished business; inspection is one area that falls into that category. The inspection landscape is cluttered, with different regimes for health and social care. We need them to be integrated. We recommend that there be a new independent body that would be available to both staff and patients, because it is important that we have protection for whistleblowers. Many of the complaints about how care is delivered have come from staff who work for inadequate providers. They need to be able to raise their concerns, and the inspection regime needs teeth—it needs to be able to take steps to right the wrongs.

The inspection regime also needs to be transparent. One of the big challenges that we have learned of while considering the bill is in respect of inspection of home care. How do we get into a person's home to inspect the care that they receive, especially when they are so dependent on the person who delivers the care to them? We need to look at all those things and see how we can tighten up services.

We heard today from Neil Findlay that social care is in crisis; he talked about the number of care homes that are out of commission due to poor standards. Surely we should find out about that sooner and steps should be taken sooner to try to bring them up to standard. We are seeing bed blocking increasing and people are not receiving care that is appropriate to their needs because it is not available in the community. We need to look at how we can improve standards throughout the care sector.

We all understand that shifting the balance of care from acute hospitals to communities is what we desire. It keeps people out of hospital, and allows them to be independent and enabled. It is what we would want in that situation, and it is also more cost effective. However, we cannot shift the balance of care out of acute care altogether. Neil Findlay raised concerns about the savings that were highlighted by the Christie commission and how we can possibly achieve them. People will still need acute care and that has to be delivered in hospital settings, but if we want to keep people well for longer, we also have to provide high-quality care in the community. That care will also have to deal with multiple conditions. As people live for longer, they will have more conditions that need to be dealt with, so we need all workers to be working towards that.

Integration of health and social care is really necessary. I hope that the bill will start the process. Legislation will not change everything; it will not change the culture, so we need to take the lead in order that we can do that. I hope that the bill helps us to do that.

The Presiding Officer (Tricia Marwick): Thank you Ms Grant. Alex Neil will wind up the debate. Cabinet secretary, I would appreciate it if you would continue until 5.20.

17:11

Alex Neil: Thank you, Presiding Officer, I shall do my best to continue until 5.20.

First, I will respond to a number of the important points that have been made by members from all sides of the chamber.

On the question about where we go from here the bill gets royal assent, the next step is to move

on secondary legislation, regulations, and guidance. I am very keen to do that as soon as possible because we want the integration boards to be fully operational from April 2015. It is also important that we continue, as we have throughout this exercise, to take the key stakeholders with us. We have agreement from the members of the stakeholder groups and the bill advisory group, which has been advising the Government on the bill throughout the entire process, that they will continue to advise the Government about discussions on secondary legislation, regulations, guidance and all the rest of it. Continuing with that group and the stakeholders is the right way to proceed. The more consensus we get, the more buy-in we will get throughout the process, and the more success we will have in implementing the provisions of the legislation.

On general practitioners' involvement, I could not agree more that they have an absolutely vital role to play. The entire primary care sector has a vital role to play—although I should say that I expect consultants from the hospitals to play a much bigger role in the community, as well. I agree about the importance of GP involvement, particularly in localities and partnerships themselves.

Having said that, I should also emphasise to members something that they probably already know. In the guidance that I have issued for local delivery plans being submitted by boards to the Scottish Government for approval, I have stated very clearly that I expect every local delivery plan from every health board in Scotland to show a significant increase in spend in the primary care sector from April 2014 onwards. That will not mean a cut in acute services, because there will be a real increase in every board's future budgets. It means that a bigger share of the growth should be allocated to primary care services in order to allow us to increase the resources that are available to primary care while simultaneously ensuring that there are not cuts in the acute services that are—as Rhoda Grant said—absolutely essential.

Rhoda Grant: The cabinet secretary will be aware that one of the major growth areas in health board budgets is the cost of medicines. One person told me that that cost is now ahead of staff costs in healthcare budgets. Will he factor that in when he is looking at increases to health board budgets?

Alex Neil: As far as I am concerned, we account for the prescriptions budget separately from the budget for primary care services, although much of it is paid through primary care. For example, if Rhoda Grant looks at the accounts that we present to Parliament, she will see that we have a specific line item on the cost of

prescriptions, which is running at roughly £1.3 billion a year.

When I talk about additional spend in the primary care sector, I am not talking about the prescription element of it—I am talking about the services element. That includes primarily GP services, because there is no doubt at all in my mind that in order for us to achieve our health outcomes—including a reduction in unnecessary admissions to hospital—we have to improve and expand primary care services as part of the integration process. Primary care services must be absolutely integral to commissioning and strategic planning of the integrated authorities. I agree that speed is of the essence.

I also agree with Malcolm Chisholm about the importance of involving disability organisations. Clearly, although integrated services are for the entire adult population, the main users of the services are older people and disabled people. They and their stakeholder groups need to be involved in discussions nationally and locally.

The cultural issues that have been referred to by a number of members are also important. I believe that the bill itself will be a major tool in changing the culture—in particular, in changing it from one that delivers services to people to one that delivers services with people and for people, in agreement with them. It will be a change to a culture in which people are involved in designing delivery of services.

The role of users and user groups in the design and delivery of services is also crucial. Again, in particular at locality level, that will be an essential prerequisite to success.

I emphasise that although the bill is largely about the financial and organisational arrangements for integration, we should never lose sight of the purpose of the bill, which is to improve dramatically service provision for people who use the services. It is not just about delayed discharges; I believe that experience shows that where there is integration, the problem of delayed discharges is much easier to deal with. I believe that, over time, we can eliminate delayed discharges, as has largely been done, for example, in West Lothian. The bill is also about, for example, ensuring that people can be treated much more in the community, either at home or in a homely setting in the community—both in terms of their healthcare and social care. That is a key element in improving the health outcomes of the population.

Neil Findlay: The minister has spoken at length and I have yet to hear him mention anything about the two fundamental problems that we have: the poor pay and conditions of the staff who deliver the care, and the time-limited appointments that

are made for clients. I have yet to hear him mention those problems.

Alex Neil: On the latter point, there are already two or three investigations on issues related to social care outcomes. The time element is being looked at as part of those investigations. Neil Findlay should know that because the Association of Directors of Social Work and the Care Inspectorate are looking at those specific issues.

I said earlier that terms and conditions in the social care sector need to be addressed and that we need to do that with our local authority colleagues. It is a bit rich for Neil Findlay of the Labour Party to be complaining about how the workers are treated when we have seen what has happened in Glasgow City Council, where the workers have been treated with total contempt by the Labour administration—[*Interruption.*]

The Presiding Officer: Mr Findlay—enough.

Alex Neil: —so much so that they have been forced into industrial action. I do not think that we will be taking any lessons from Mr Findlay or from any of his Labour colleagues on how to treat workers.

I will not mention Aberdeen, where there has been what has been described by some people as a disastrous move in transferring services to an arms-length external organisation—Bon Accord Care Ltd. That is hardly the model that we want. Again, we will certainly not be taking any lessons from the Labour administration in Aberdeen or from the Labour spokesperson on how to treat workers or how to treat service users.

The Presiding Officer: Can you bring your remarks to a close, cabinet secretary?

Alex Neil: The passage of the bill, which—with the exception of Neil Findlay's contribution—has happened on a consensual basis, is a significant landmark in health and social care in Scotland. I believe that its passage will do a great deal to improve both healthcare and social care in Scotland. I hope that every member will vote for it.

Decision Time

17:20

The Presiding Officer (Tricia Marwick): We come to decision time. The first question is, that motion S4M-09105, in the name of Joe FitzPatrick, on committee membership, be agreed to.

Motion agreed to,

That the Parliament agrees that—

Alex Rowley be appointed to replace Richard Baker as a member of the Local Government and Regeneration Committee; and

Alex Rowley be appointed to replace Patricia Ferguson as a member of the European and External Relations Committee.

The Presiding Officer: The next question is, that motion S4M-09115, in the name of Alex Neil, on the Public Bodies (Joint Working) (Scotland) Bill, be agreed to.

Motion agreed to,

That the Parliament agrees that the Public Bodies (Joint Working) (Scotland) Bill be passed.

Police Scotland Traffic Wardens

The Deputy Presiding Officer (Elaine Smith):

The final item of business is a members' business debate on motion S4M-08944, in the name of Murdo Fraser, on Police Scotland traffic wardens. The debate will be concluded without any question being put.

Motion debated,

That the Parliament notes calls against the removal of Police Scotland traffic wardens from local authority areas; understands that for local authority areas without decriminalised parking enforcement this change in legislation will present considerable operational and budgetary challenges; notes the case of Stirling Council, which, it understands, will have to find nearly £200,000 from its already stretched budgets to fund traffic wardens in the area; believes that Police Scotland is unfairly moving cuts from their budgets onto those of local authorities; considers that the current schedule for the removal of Police Scotland traffic wardens has been rushed, giving local authorities little time to introduce a replacement service, and recognises the possible road safety issues of police officers attending only incidents of dangerous parking.

17:22

Murdo Fraser (Mid Scotland and Fife) (Con): I

thank all members who signed my motion and therefore allowed this important debate to take place.

When a centralised police force for Scotland was first proposed, there were warnings from many quarters about what the consequences might be. Nearly a year since its inception, many of those concerns have been borne out by experience.

Taking what was essentially a locally run and locally accountable service and directing it from the centre was bound to create problems. So far we have had the closure of vital services including public counters and police control rooms, and now local authorities are faced with the removal of Police Scotland traffic wardens.

For the minority of local authorities with decriminalised parking systems already in place, the move might be non-controversial, but for the majority of councils—18 out of 32—that do not have decriminalised parking enforcement, it has proved controversial.

I will illustrate the problem in my own parliamentary region, because I believe that the situation that Stirling Council faces is demonstrative of the wider Scottish picture. In December, Police Scotland informed Stirling Council that it would withdraw traffic wardens on 4 February. After a short review period, that was eventually extended to 28 February—the end of this week.

The suddenness of the decision has taken many councils by surprise. It must be remembered that all this has happened without any form of open consultation.

Stirling Council is not alone in not having a decriminalised parking system, as there are 17 other local authorities in the same boat, including Scottish Borders Council, Highland Council and Clackmannanshire Council.

Decriminalised parking is certainly a solution, but it could take nearly two years to roll out, as the process would require a full consultation, using the considerable time and resources of a community engagement officer. It is difficult to cost that, but the final total could run to thousands of pounds.

In Stirling, Police Scotland has offered to supply a temporary warden service at a cost of up to £90,000 per year during the interim period. However, all the revenue raised in the form of tickets and fines will be channelled into the central Government purse, which negates any chance of the interim service paying for itself. If Stirling Council were to employ its own wardens during the interim period, it would cost it nearly £200,000 per year.

My concern is that the withdrawal of the service is all about saving money and not about providing the best possible service. Police Scotland is shifting money off its books on to the budgets of local authorities. At a time of spending restraint, such an approach appears to be grossly irresponsible.

Ironically, despite the removal of civilian Police Scotland traffic wardens, police officers will still have to attend incidents of dangerous parking, which could result in their valuable time being used to deal with incidents that were previously dealt with by civilian staff. That is a false economy.

In the past five years, Police Scotland traffic wardens have dished out more than 11,000 parking fines in Stirling. The service has helped to make the town centre more navigable and has increased pedestrian safety. The loss of that service could result in chaos.

On the flipside of the debate is the role of private parking firms. Take the example of Edinburgh. Between 2010 and 2012, wardens from the private firm NSL Ltd worked 24 hours a day and issued more than 388,000 fines, but it later emerged that one in six of those was handed out wrongly.

There is a danger that, in some places, police wardens will be replaced by target-driven firms that have only profit in mind. That has the potential to hit town centres, as overzealous wardens turn away shoppers.

Balance is crucial when it comes to parking enforcement. Charges must act as a deterrent to those who are thinking of parking irresponsibly while allowing traffic to flow more smoothly. However, if charges turn too much in the direction of revenue raising, town centres could become empty. Police Scotland traffic wardens have a great record of maintaining that balance and their loss could prove fatal for many small businesses, particularly those in some of our smaller towns throughout Scotland.

However, what really concerns me about the move is the rushed nature of the change and the lack of any efforts to engage locally or to conduct an open consultation. By removing wardens, Police Scotland has prioritised national considerations over the interests of individual councils. I fully accept that it is trying to trim its budget and I think that most councils would agree that it is a reasonable step, but they object to the way in which the matter has been handled.

Police Scotland is passing the burden on to local authorities without giving them proper time to introduce an alternative approach. By preventing councils from taking part in an open consultation and foisting the changes on local authorities so quickly, Police Scotland has given the impression that, no matter what was said, it would railroad the changes through. As a result, it will have to work hard to regain the trust of local authorities, councillors and affected residents.

It is incumbent on the Scottish Government to step in to tell Police Scotland to think again and to ask it to delay the withdrawal of traffic wardens and to allow those councils that wish to pursue decriminalisation the time to do so without loss of service. Otherwise it is no exaggeration to say that we could face chaos on our streets.

17:28

Bruce Crawford (Stirling) (SNP): I am pleased to have the opportunity to speak in the debate on Police Scotland traffic wardens, particularly as Police Scotland's decision to withdraw traffic warden services affects my constituency of Stirling, as Murdo Fraser mentioned.

The review and the withdrawal have been the subject of some discussion at Stirling Council and in the local press. I hope that Murdo Fraser will forgive me for not signing his motion, but it does not truly reflect the whole of the Stirling situation. Nevertheless, he deserves to be sincerely congratulated on obtaining members' business time to air the matter.

It is clear that the Labour and Tory councillors who, together, form the administration at Stirling Council have been extremely critical of Police Scotland in committee meetings and statements to

the local press. It is also fair to say that Police Scotland has not covered itself in glory in the process. However, I am sure that it and Stirling Council could learn something from the process that would help to improve how they deal with each other and other interested stakeholders on such matters in future.

It is certainly true that the Scottish Government promoted a single police force for Scotland, which ensures that efficiencies can be made and that the funding that the police receive is maximised to achieve the objective, which we all share, of keeping our communities safe. As we know, that funding has, of course, helped to retain 1,000 extra police officers and has helped the Scottish Government and the police to get crime down to a 39-year low. However, it was always inevitable that there would be some standardisation of services throughout the country.

Practice across Scotland has varied with regard to wardens, as Murdo Fraser outlined. With the advent of the single police force, it was inevitable that the issue would require resolution and that it would lead to the introduction of more common practice. However, I have no doubt, given the way in which the issue has unfolded in Stirling, that it could have been handled better by Police Scotland as well as Stirling Council. I will deal with that in a moment, but first I emphasise the fact that Police Scotland has made it clear that it will continue to enforce the law by addressing parking that is considered to be dangerous or obstructive and in respect of blue-badge disabled parking.

Stirling councillors have protested about timescales. However, Police Scotland wrote to all councillors in June 2013 to inform them that a review of traffic warden provision was under way—I have a copy of the letter with me. Therefore, from June 2103, there was nothing to stop Stirling Council taking a much more pragmatic and proactive approach. The council's public safety sub-committee could have reacted to the letter had it been so minded. Instead, no action was taken before it received a further letter, which, as Murdo Fraser said, was issued by Police Scotland on 1 October 2013.

Much of the criticism that is levelled at Police Scotland by Stirling Council administration's councillors is based on complaints that they have had insufficient time to implement changes that would mean that the duties could be undertaken by Stirling Council. Although Police Scotland could have dealt with the matter more effectively, it is also clear that the council could have taken action earlier. I am somewhat surprised, given that a clear heads-up regarding potential changes was provided by Police Scotland in June 2013, that no preparatory work was begun by the council to take on traffic warden responsibilities.

There are good reasons why local authority enforcement is the better choice and why it is, in fact, the right way to go. For instance, historically, when local authorities are responsible, enforcement levels are shown to be higher. I am, therefore, surprised that the council was not faster out of its blocks in trying to bring traffic warden services under its control by immediately reacting in a more positive way to the letter from Police Scotland in June.

Under the current arrangements, with parking offences considered criminal offences, fines go to the Treasury. Under local authority enforcement, the local authorities themselves accrue the money that is generated in fines. Therefore, any revenues that are raised help with the provision of local services rather than swelling the coffers of the Treasury. Keeping that money in the local area would be a good thing.

I am probably stretching your patience, Presiding Officer, so I will come to a close.

I know that there is a lot to be learned by both sides. They are now talking a lot more constructively, and I hope that there is a sensible outcome at the end.

17:33

Iain Gray (East Lothian) (Lab): There is a certain irony in rising to defend traffic wardens, who are often the butt of jokes or worse. However, like so many things in life, perhaps we do not appreciate traffic wardens until we have lost them. Indeed, the caricature of traffic wardens largely lies in city parking problems, but Scotland is a nation of towns and villages, which is where the greatest problems with this decision lie.

In my constituency, which is a good example of what I am talking about, five towns—Haddington, Tranent, Prestonpans, North Berwick and Dunbar—already have significant parking problems. They are all centres for a rural hinterland and all have limited bus services, which mostly link the towns to the city rather than to the surrounding area. There is therefore little alternative for people who want to come into the towns other than to bring their cars.

North Berwick in particular already has bad parking problems, and only last week the community council in Haddington was talking about traffic chaos. That is the situation at a time when we still have traffic wardens, and it is partly because we now have only very few traffic wardens in East Lothian—I think that we have two police traffic wardens. However, at least there are some, and parkers know that there is the possibility that they will be ticketed if they park illegally.

Some would think that we have little to complain about in East Lothian, as on-street parking is free in all those towns, but as I have said, because there are very few alternatives, I do not think that imposing charges would reduce parking; rather, it would simply impose a burden on those who need to go into town for social or business reasons.

Waiting is limited in all those towns. That system has worked well for a good number of years, but it depends on people believing that it is possible that they will receive a ticket if they stay beyond the limited waiting time.

As Mr Fraser indicated, it is not, of course, just a question of inconvenience to motorists. There are also safety issues, and local businesses depend on their customers being able to find a place to park. That is certainly the case in the summer in North Berwick, for example. Local businesses already complain that, on occasion, visitors come to North Berwick, try to find a parking place, fail, leave and go somewhere else. That situation would surely only get worse without traffic wardens.

Those town centres are already vulnerable and fragile. They are struggling with all the issues that we know about, such as competition from supermarkets, changing lifestyles and commuter lifestyles that mean that people do not stay in the towns in which they live except at night. They have not been supported—rather, they have been undermined—by a number of arbitrary decisions by the Scottish Government, such as the closure of the local court in Haddington and the consequent closure of the fiscal's office in the centre of town. That town will now see the wardens go and the potential for traffic chaos, as Mr Fraser outlined. I am afraid that, while that has happened, the Scottish ministers have simply looked the other way, washed their hands, and said, "These are decisions for the bodies concerned, and there is nothing we can do."

None of the options is particularly palatable for the council. As Mr Fraser outlined, it could spend a great deal of money employing its own traffic wardens or perhaps open its citizens up to privatised traffic wardens who are driven by incentives. I thought that Mr Fraser might have been more in favour of that, but he eloquently explained why it would be a bad idea.

The truth is that we are talking about a classic example in the public sector of cutting off its nose to spite its face or robbing Peter to pay Paul. The police are looking to save money, removing costs and simply pushing them on to a local authority. One of the ironies is that the police are doing that in order to maintain the numbers of police officers, some of whom are also funded by the local authority. That is not fair, helpful or effective.

Police Scotland should think again, and the minister should ask it to do that.

17:38

Alison McInnes (North East Scotland) (LD): I congratulate Murdo Fraser on securing this important debate.

From the perspective of the Cabinet Secretary for Justice and Police Scotland, the cessation of the traffic warden service earlier this month establishes a uniform approach to parking enforcement across the country. However, what that one-size-fits-all policy has actually achieved is inconsistency of service provision, and it invites anarchic parking in towns and cities throughout Scotland. The reform will mean that, in the majority of the country for the foreseeable future at least, high-street businesses could suffer as customers are unable to find parking places. The vibrancy of our town centres will be diminished if people believe that it is easier to visit out-of-town shopping facilities.

Unregulated parking also poses obstacles and significant dangers to elderly people, those with disabilities and young families. The misuse of dedicated spaces and parking on pavements and over dropped kerbs can make streets inaccessible to large sections of our society, and forcing pedestrians on to the road and in close proximity to moving traffic jeopardises their safety and risks casualties. Such scenarios seem no longer to be of interest to the police. That has led organisations such as Living Streets and Guide Dogs Scotland to refer to the potential for parking pandemonium.

It strikes me that the swift timetable for the implementation of the reform simply does not cohere with the practical needs of our communities and the length of time that it takes to legislate. From the Borders to the northern isles, councils are not ready or able to step in to fill the parking enforcement void left by the police.

Transport Scotland says that it takes 18 months to complete the decriminalisation process, from the local authority feasibility study to when the Scottish statutory instrument comes into force. Taking into account the initial decision-making process and the hiring and training, we can see that it could be 30 months before local authorities are in a position to take on responsibility for parking enforcement. Reports suggest that that has already led to limited backtracking in some areas.

More importantly, local authorities and the Convention of Scottish Local Authorities have highlighted that the decriminalisation of parking enforcement is only viable and affordable in those areas where there is a significant amount of on-street charged parking; otherwise, the income

from penalties will not cover the management and enforcement costs, let alone pay for the associated transport improvements. My region of Aberdeenshire has lost six traffic wardens, yet I understand that the council, for the reasons I mentioned, has no plans to pursue decriminalisation or introduce wardens in the foreseeable future.

The reform risks establishing a permanent urban-rural divide in enforcement. Indeed, about half the local authorities in Scotland face Hobson's choice: decriminalise parking enforcement or relinquish the service—not just temporarily but permanently. Withdrawing from extracurricular activities is one thing, but Police Scotland's failure to enforce the law—its failure to fulfil the full policing curriculum—in order to suit its own strategic priorities is quite another.

The manner in which reforms are being conducted leaves a great deal to be desired. Traffic wardens, police control rooms, service centres, public counter closures—a unilateralist approach to decision making is evident in each case. Once integral to the process, public consultations are now token and we have only a nod in the direction of community planning partners.

The withdrawal of such services in favour of a narrow, enforcement-based national policing model demonstrates a failure to understand the needs of local communities and circumstances. It demonstrates that Police Scotland's national priorities take precedence and it shows a worrying willingness to shirk responsibilities.

17:42

Margaret Mitchell (Central Scotland) (Con): Yet again this Parliament finds itself debating another set of cuts made by Police Scotland. On top of the loss of civilian staff and the closure of station counters and emergency control rooms, the issue of traffic wardens is now the latest causing concern. I therefore congratulate my colleague Murdo Fraser on bringing this important debate to the Parliament.

Given that its budget is being cut, it was only a matter of time before Police Scotland identified withdrawal of its parking duties as a way that savings could be made. That was virtually a foregone conclusion, especially as a minority of local authorities have already decriminalised parking enforcement. However, as a number of members have said, the way in which the change has been implemented and managed has been less than satisfactory, for the following reasons.

There is a real concern that local authorities have not been given sufficient time to put in place contingency plans. After only a short review

period, in December Police Scotland notified councils of its intention to withdraw its traffic warden service this month. There has also been a lack of open consultation, about which councils and COSLA have complained in writing to the Justice Committee.

Bruce Crawford: Will the member give way?

Margaret Mitchell: I do not think that I will be able to, unless there is leeway. I am very short on time, and my speech will take the full four minutes.

The Deputy Presiding Officer: I could give a minute's leeway.

Margaret Mitchell: I give way to Bruce Crawford.

Bruce Crawford: I wonder whether Margaret Mitchell listened to what I said about the Stirling situation. It was in June 2013 that Stirling councillors were informed about this potential way forward.

Margaret Mitchell: June to December, to make various contingency plans, is not quite enough, especially with the kind of budgets that local government is currently looking at.

Worse still, the move will result in uncertainty over parking enforcement, particularly as it takes councils around two years to apply for decriminalised parking enforcement status. Until then, the only service that will be provided will be by police officers intervening if parking is dangerous or significantly obstructive.

It seems, therefore, that the withdrawal of the service is primarily about saving money. Significantly, it also reveals how Police Scotland prioritises national considerations over the interests of individual councils. In reality, as Murdo Fraser said, the move will be a false economy. Police will still have responsibility for some traffic enforcement, which means that higher-paid police officers will be required to deal with parking issues that were previously dealt with by civilian traffic wardens on lower wages.

Falkirk Council, which is in my Central Scotland region, responded to a COSLA survey to say that the withdrawal of the service will lead to congestion in town centres because of a lack of enforcement of waiting restrictions, and to possible road safety issues. North Lanarkshire Council has been forced to employ wardens at a cost of £180,000 and set-up costs of £120,000, which will be met from fine income and from money taken from roads budgets.

Given that more than 100,000 fines are issued in the former Central Scotland Police area each year, the operation is obviously a considerable one and it will now need to be paid for by local authorities. In addition, councillors who have

expressed concern that the move could result in chaos in our town centres have simply been ignored.

The fact is that enforcement still needs to be carried out, and councils, which are already facing financial pressures and which have no additional resources to do so, are left with the problem. In light of the concerns, the decision needs to be reviewed, so I very much look forward to the minister's comments at the close of the debate.

17:46

Liam McArthur (Orkney Islands) (LD): I congratulate Murdo Fraser on bringing the debate to the Parliament, and I acknowledge his track record on the issue. He recently raised the issue at general question time, when the Cabinet Secretary for Justice provided a rather illuminating response about the situation in Fife, when in fact the question was about the circumstances in Stirling. I was told by the cabinet secretary that there is only one traffic warden in Orkney, which came as news to me, as I am sure that I have seen one in both Kirkwall and Stromness. I have to say that neither of those responses inspired a great deal of confidence.

As Murdo Fraser said, the option that is being posited for many local authorities is to go down the route of decriminalisation but, as Alison McInnes and Iain Gray alluded to, that is not a viable option in many rural communities such as the ones that I represent. There is little prospect of being able to recoup anything like the costs of running the service through fines, so that is wholly impractical. The measure runs counter to many of the initiatives that Orkney Islands Council and the community planning partnership in the area are embarked on to rejuvenate town centres—I think that Iain Gray made a similar point. It also runs counter to many of the initiatives to which Living Streets has pointed that aim to make town centres more accessible and less dangerous places.

We have heard that one size does not fit all. I am conscious that unique local circumstances are at play in Orkney, and that the traffic wardens in Kirkwall and Stromness have a wide range of responsibilities that go far beyond parking enforcement. Even if the budget were to be freed up to allow the change to happen, council employees would not have the authority to carry out those duties, which include directing traffic at ferry entry points, agriculture shows and funerals and responsibilities in relation to road traffic accidents. As a number of members have mentioned, it would simply fall to police officers to perform those duties, which strikes me as more than a false economy.

In response to the questions that Murdo Fraser and I raised two or three weeks ago, the Cabinet Secretary for Justice suggested that the matter is for Police Scotland. However, as Orkney Islands Council has made clear to me, previously Scottish Government funding came directly to the council and was then, under agreement with the Northern Joint Police Board, requisitioned to pay for policing services, including traffic wardens. The Scottish Government now pays the funding directly to Police Scotland, and Orkney Islands Council considers that payment to include funds for the services that were previously provided.

There is a compelling case for ministers to re-engage with Police Scotland and to ask it to think again, particularly in those areas where the route of decriminalisation will not provide an answer on the delivery of the services.

I once again thank Murdo Fraser for bringing the debate to the chamber. I have been encouraged by colleagues' comments. Police Scotland needs to rethink the matter.

17:50

Graeme Pearson (South Scotland) (Lab): I thank Murdo Fraser for securing the debate. I congratulate colleagues on raising many of the issues that I would have raised, so they will be pleased to know that I will not labour those points at this time of the evening. However, I pay particular heed to Bruce Crawford and his wonderful attempt to paper over the cracks in how the matter has been dealt with. It makes it very difficult for people such as me, who support the concept of a single police force, when evidence is offered of a lack of sensitivity and consideration before deciding issues that affect local communities.

It was only a few weeks ago in the chamber that we discussed cycling and indicated that we need to make our highways a safer environment for people to cycle on. For some of the areas that I represent in South Scotland, parking is an issue and dealing with it would enable those who would cycle in our towns to make their journeys safely.

In Dumfries, until recently, there were six traffic wardens. In a matter of months, those six traffic wardens dwindled to two, and it now appears that none will be available to perform duties in Dumfries. Dumfries is, like some of the other areas that members described, a very busy market town, which attracts, thankfully, many visitors, most of whom arrive by car. The town centre's layout is centuries old and not particularly amenable to traffic passing through. It is therefore important that enforcement is managed sensitively and is timely. It is unreasonable to expect Police Scotland to provide uniformed support because of

those motorists who will take advantage of the fact that traffic wardens are no longer on patrol across the town. The expectation that those duties will be picked up by the local authority in the short term is not an answer as far as I can see. Where was the plan that should have been shared with each of the local authorities to enable discussions to be held in good time? The situation that we are in has been three years in the planning; there could have been many discussions behind the scenes to make preparations.

A lot has been said about consultation. It is quite evident that whatever consultation took place, it was not timely or productive; it was not a consultation that drew people on board and made them fully aware of the impact of what was planned. Where was the partnership working that we hear so much about, when all the partners gather together to discuss the problems that they all face? A letter in the post indicating a review shortly after a change in the national policing arrangements is hardly a red light to say, "Wake up—something is happening quickly." That did not happen. Indeed, the handover has left many local authorities holding the baby and they must provide a solution with very few facilities with which to make the provision effective.

I hope that the minister will have heard the complaints that have been made by members around the chamber. I hope that those complaints impact on how Police Scotland negotiates its way forward on the matter. We know that the Government has demanded £60 million in savings and that that has probably been the driver for the action. Let us hope that further plans involve local authorities and accountability.

17:54

The Minister for Community Safety and Legal Affairs (Roseanna Cunningham): I congratulate Murdo Fraser on obtaining his members' business debate. He knows that I am rarely likely to be troubled by traffic wardens, whether they are from the police or elsewhere—I do not know whether one ought to declare a non-interest; in fairness I should do so.

Police Scotland's purpose, as everyone knows, is to improve the safety and wellbeing of the people and communities of Scotland. I assure Graeme Pearson that I am certain that Police Scotland is monitoring the debate and will take note of all comments. Its focus is on keeping people safe, as was always the case before the forces came together to form one force, and that is at the heart of everything that it does. It contributes to our national strategic objective of a safer, stronger Scotland.

Members would expect me to say that the Scottish Government, working with Police Scotland and the Scottish Police Authority, is committed to protecting and supporting front-line services. Crime is at a 39-year low, and that is supported by our commitment to 1,000 extra officers in our communities compared with 2007. Local policing remains the bedrock; local communities and councillors have more access than ever to the police and can engage through designated local commanders, one for each of the 14 divisions, and through local policing plans, one for each of the 353 council wards.

It is for Police Scotland to decide how best to use the resources that are available to it and to take the operational decisions that keep the people of Scotland safe, as was the case when we had eight forces, prior to Police Scotland's coming into being. It is of course for the Scottish Police Authority to hold Police Scotland to account for the decisions that it takes.

The decision on dedicated traffic wardens reflects Police Scotland's purpose, its focus on the effective use of resources and value for money in the service that it provides, and its powerful commitment to the key aim of keeping people safe. Let us be clear: in all local authority areas Police Scotland will continue to tackle dangerous and obstructive parking; in non-decriminalised parking enforcement areas it will continue to work positively in partnership to take a targeted approach to priority issues; and it will continue to pay particular attention to offences in disabled parking bays and abuses of the blue badge scheme.

It might be useful to put the issue into perspective. The approach will not lead to complete chaos on the streets, as some people have claimed. Why? It might surprise members to hear that the average number of tickets issued over a year by police and traffic wardens in the 32 local authorities—throughout the entire area of Scotland—equates to just 2.5 tickets a day. If we take weekends out of the equation, on average only 3.5 tickets are issued per day.

It is for local authorities to set their priorities and deliver on them within the resources available, having first fulfilled statutory obligations. In that regard, the Scottish Government is providing local government in Scotland with more than £10.3 billion in 2013-14. The issue that we are considering, like many others, presents an opportunity for local authorities to consider sharing services to realise efficiencies. For example, authorities might share back-office functions or functions to do with enforcement officers' roles and responsibilities.

I talked about the number of tickets that are issued in Scotland. In *The Courier* on 13 February,

Murdo Fraser claimed that ending Stirling's Police Scotland traffic warden service would bring the town to a standstill—an observation based on an average of fewer than seven tickets issued per day in Stirling.

Murdo Fraser: Does the minister accept that there is a deterrent effect to having traffic wardens on the streets? If traffic wardens are removed and people know that they have been removed, people will be far more likely to park inappropriately than is currently the case.

Roseanna Cunningham: I have comments to make that are germane to Murdo Fraser's intervention, which I will come to a little later.

Bruce Crawford's comments were welcome. It is the case that the traffic warden review began in May last year. There was a five-month period between that date and the date of the SPA's final decision. That five-month period appears to have been swept aside; I wonder about the extent of local authorities' engagement during that period.

I confess that I waited with interest to see which MSPs would turn up to this debate, because many local authorities have been successfully operating DPEs for a number of years—indeed, Murdo Fraser and I both live in one such area. Perth, like many cities, has traffic problems, but I am not aware of there being any chaos. If that had been the case, I am sure that Murdo Fraser would have been quick to refer to it.

Murdo Fraser: Will the minister take an intervention?

Roseanna Cunningham: Is Murdo Fraser going to refer to traffic chaos in Perth?

Murdo Fraser: I do not dispute that local authorities can go down the decriminalisation route if they so wish, but the problem is that that process can take two years or more to progress, as I pointed out. What will happen in the interim?

Roseanna Cunningham: I will make pertinent points about that.

It is informative that, in June 2011, the then Strathclyde Police withdrew the police traffic warden system from the whole of Strathclyde. Of the 12 local authorities in the area, three had decriminalised parking enforcement in place and four have adopted DPE since. Inverclyde Council and Argyll and Bute Council are applying for DPE, while North Ayrshire Council, North Lanarkshire Council and West Dunbartonshire Council have not yet decided whether to apply for it.

There was no evidence of an outcry at the time. There were no debates and no motions—nothing. That is remarkable because, if various members' predictions of chaos and confusion are to be

believed, I am surprised that we have not heard references to the terrible Strathclyde experience.

Liam McArthur: Will the minister take an intervention?

Roseanna Cunningham: I want to get on and say a few more things before I finish.

The Scottish Government is committed to working with local authorities and Police Scotland to look at the decision's impact and to support the process towards DPE when there is agreement to make progress on that. That dialogue has begun. Discussions have taken place in a number of areas. Police Scotland has put in place local arrangements to continue the provision of a traffic warden service in West Lothian and Midlothian, and it is close to reaching agreement with Stirling Council, Falkirk Council and Highland Council—for Inverness—on the continued provision of a traffic warden service for up to two years, with the support of local authority funding.

I reject the motion. Local authorities have had since 1997 to consider their position on parking enforcement. [*Interruption.*] Murdo Fraser laughs, but the Parliament needs to be reminded that the previous Conservative Government introduced the relevant legislation. That point was curiously missing from his speech.

Police Scotland has demonstrated that for it to continue to provide the service would not be value for money for the communities that it serves. Neither the Scottish Government nor Police Scotland is just walking away. Engagement has been on-going since May last year and we are keen for that to continue, to ensure that any impact of the action has no detrimental effect on Scotland's people and businesses.

Meeting closed at 18:02.

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