



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# HEALTH AND SPORT COMMITTEE

Tuesday 10 March 2015



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**HEALTH AND SPORT COMMITTEE**

**8<sup>th</sup> Meeting 2015, Session 4**

**CONVENER**

\*Duncan McNeil (Greenock and Inverclyde) (Lab)

**DEPUTY CONVENER**

\*Bob Doris (Glasgow) (SNP)

**COMMITTEE MEMBERS**

\*Rhoda Grant (Highlands and Islands) (Lab)

\*Colin Keir (Edinburgh Western) (SNP)

\*Richard Lyle (Central Scotland) (SNP)

\*Mike MacKenzie (Highlands and Islands) (SNP)

\*Nanette Milne (North East Scotland) (Con)

Dennis Robertson (Aberdeenshire West) (SNP)

Dr Richard Simpson (Mid Scotland and Fife) (Lab)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Jason Birch (Scottish Government)

Fiona Cardwell (Glasgow Life)

Graeme Clee (North Lanarkshire Leisure)

Graeme Dey (Angus South) (SNP) (Committee Substitute)

Ailsa Garland (Scottish Government)

Paul Reddish (Inch Park Community Sports Club)

Darren Reid (High Life Highland)

Shona Robison (Cabinet Secretary for Health, Wellbeing and Sport)

David Smith (Drumchapel Community Sport Hub)

Andrew Smyth (West Lothian Council)

**CLERK TO THE COMMITTEE**

Eugene Windsor (Clerk)

**LOCATION**

The Robert Burns Room (CR1)



# Scottish Parliament

## Health and Sport Committee

*Tuesday 10 March 2015*

*[The Convener opened the meeting at 10:01]*

### Subordinate Legislation

#### **General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015 [Draft]**

#### **Health Care and Associated Professions (Knowledge of English) Order 2015 [Draft]**

**The Convener (Duncan McNeil):** Good morning and welcome to the eighth meeting in 2015 of the Health and Sport Committee. As I usually do at this point, I ask everyone in the room to switch off mobile phones as they can interfere with the sound system, although you will note that some committee members are using tablets instead of hard copies of the committee papers.

I have apologies from Dennis Robertson and Richard Simpson, who are unable to be with us. I welcome to the meeting Graeme Dey as the Scottish National Party substitute.

As usual with affirmative instruments, we will have evidence-taking sessions with the cabinet secretary and her officials. Once all our questions have been answered, we will have formal debates on the motions.

First, we will look at the draft General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015 and the draft Health Care and Associated Professions (Knowledge of English) Order 2015. I welcome the Cabinet Secretary for Health, Wellbeing and Sport, Shona Robison. I also welcome from the Scottish Government Jason Birch, head of regulatory unit, chief nursing officer directorate and Ailsa Garland, principal legal officer. I give the cabinet secretary the opportunity to make an opening statement.

**The Cabinet Secretary for Health, Wellbeing and Sport (Shona Robison):** Thanks, convener. I apologise for my lateness; I had some travel challenges this morning.

The Scottish Government and the health departments in the three other nations are committed to legislative change in healthcare

regulation to enhance public protection. That is why we are seeking to make changes in priority areas, as agreed in discussion with the United Kingdom regulatory bodies, through these two draft orders that have been made under the Health Act 1999. Each order makes amendments to existing legislation on regulating health professionals.

I begin by speaking to the draft General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015. Reform of the General Medical Council's adjudication function has been a long-term United Kingdom policy objective, and it was agreed that the medical practitioners tribunal service should be established. The order will amend the Medical Act 1983 to make that tribunal a statutory committee of the GMC, specify its powers, responsibilities and duties, and modernise its adjudication function. The order will address patient safety issues, including strengthening the power of the GMC registrar to require the disclosure of information from a doctor in the context of investigating allegations and, in the event of non-compliance, to refer a doctor to the medical practitioners tribunal service for decisions on whether to impose conditions in relation to registration or to suspend the doctor's registration.

The order will bolster the objectives of the regulator in relation to its fitness-to-practise functions to expressly take account of the need to maintain public confidence in the profession and the need to uphold standards in addition to protecting public health and safety. It will amend the grounds on which the Professional Standards Authority for Health and Social Care can refer a fitness-to-practise panel decision to the relevant court. It will also introduce a corresponding new right of reference for the General Medical Council.

I turn to the Health Care and Associated Professions (Knowledge of English) Order 2015. The Scottish Government and the health departments in the three other nations recognise that overseas healthcare professionals make a valuable contribution to the national health service. We are keen to ensure that highly skilled professionals do not face unnecessary barriers to working. However, it is vital that all healthcare professionals who practise in the UK have the necessary English language skills to communicate with and care for patients properly.

The order will affect healthcare professionals who come to work in the United Kingdom from the European Union. Following work with the Nursing and Midwifery Council, the General Dental Council, the General Pharmaceutical Council and the Pharmaceutical Society of Northern Ireland, a system of language controls for EU nurses,

midwives, dentists, dental care professionals, pharmacists and pharmacy technicians has been identified to provide greater patient safety.

The order gives those regulatory bodies the appropriate powers to apply proportionate language controls so that only those healthcare professionals who have the necessary English language knowledge will be able to practise in the UK. That will sit with existing requirements to provide assurance that they can do their jobs in a safe and competent manner. It will also strengthen the regulatory bodies' powers in relation to proportionate language controls and require applicants to provide evidence of their English language knowledge following recognition of their professional qualification but before registration and admission to the register.

The order will make corresponding amendments to the fitness-to-practise powers of the Nursing and Midwifery Council, the General Dental Council, the General Pharmaceutical Council and the Pharmaceutical Society of Northern Ireland, so that they can take fitness-to-practise proceedings in cases in which a healthcare professional's knowledge of the English language affects their fitness to practise. A new category of impairment relating to English language capability will be created that will allow the regulatory body to request that a professional undertakes an assessment of their English language knowledge during a fitness-to-practise investigation in which concerns have been raised. The changes will strengthen the regulatory bodies' ability to take fitness-to-practise action when concerns about language competence are identified in relation to healthcare professionals practising in the UK.

The order is compliant with EU law, which, under recent changes to the directive on mutual recognition of professional qualifications, clarifies the ability of national authorities to carry out language controls on European applicants to establish that those who benefit from the recognition of qualifications have the necessary language knowledge to practise a profession.

Any language controls must be fair and proportionate. For example, there cannot be automatic testing for all European applicants. Any controls will take place after the applicant's qualification has been recognised by the regulatory body but before registration.

I am happy to answer any questions that members may have.

**Graeme Dey (Angus South) (SNP):** Good morning, cabinet secretary. How will the Health Care and Associated Professions (Knowledge of English) Order 2015 work in practice? How will it be delivered at a practical level? Who will

determine the standard of English required and thereby what is proportionate?

**Shona Robison:** The bodies will produce guidance that will set out in some detail what is required. Ailsa Garland will provide a little bit more detail on that.

**Ailsa Garland (Scottish Government):** The cabinet secretary is correct. The various regulators are under a duty to publish guidance about what the assessments would involve prior to the registration of new professionals seeking first registration.

**Graeme Dey:** How will we ensure consistency across all the bodies?

**Shona Robison:** We expect the guidance to be quite similar across the regulatory bodies. The bodies will work together to produce the guidance, so we should see continuity across them.

**The Convener:** To tease out that further, have you had sight of the guidance? Are you involved in talks about it? What important principles does the Scottish Government want to see in guidance that is made available for implementation?

**Shona Robison:** I understand that the guidance is being developed at the moment. Jason Birch might want to say a little bit about the detail.

**Jason Birch (Scottish Government):** The regulators are developing the guidance, which will cover key aspects such as listening, reading, writing and speaking, and we will get more details later in the year. Various testing levels can be utilised.

**Shona Robison:** We will have sight of the details at an early stage.

**Jason Birch:** Absolutely.

**The Convener:** How do we address that from a Scottish perspective? Are there any important principles that the Scottish Government wants to see expressed in the guidance? Is there a bottom line, or does the Scottish Government have a few ideas about what the guidance will contain?

**Shona Robison:** As I said in my opening remarks, it is about proportionality and fairness. We want the guidance to set a proportionate and fair benchmark for the standard of English that is required for professionals to practise, but it should not be onerous and set a bar that is difficult for applicants to reach. The regulatory bodies do not want that either. They want a standard that satisfies and reassures them that the person is able to do their job properly.

**The Convener:** Who is taking the lead on the development of the guidance?

**Shona Robison:** The regulatory bodies themselves are doing that.

**The Convener:** You are content for them to do that.

**Shona Robison:** We will see the guidance. They have knowledge of the professions and the applicable standard of English so they are definitely the right people to take the lead. However, we want continuity across the regulatory bodies in the guidance that they produce, and we want early sight of it.

**Rhoda Grant (Highlands and Islands) (Lab):** We had evidence on the General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015 from the British Medical Association and the Medical Defence Union. The BMA was concerned that the chair of the tribunal is more likely to be someone who is legally qualified than a doctor. It is concerned that, although the way in which the tribunal will be set up will not disqualify doctors from taking that position, it will make it more difficult for them to do so because they can become the case officer only if they are legally qualified. What is your view on that?

**Jason Birch:** The MPTS has discretion and does not have to appoint a legal assessor, although there may be circumstances in which the chair is legally qualified. Ultimately, the GMC legislation is in a reserved area and the Department of Health is leading on the various intricacies involved. I am happy to raise the point directly with the Department of Health if that would help.

**Rhoda Grant:** That would be helpful, but it would also help if we could get more of an idea now, because I understand that we are going to vote on the order and I do not know whether we can delay doing so until you are able to provide that clarification.

**Jason Birch:** Can you clarify the point?

**Rhoda Grant:** The point is that, when the tribunal chair is legally qualified, they can be the case officer. That suggests to me that, if the tribunal chair is a doctor, they cannot be the case officer. That may be a barrier to a doctor becoming the chair of the tribunal, because the process would require two people rather than one.

**Jason Birch:** The MPTS has discretion to look into what is appropriate in the circumstances of a particular case. In the circumstances that you describe, I think that, if it was not appropriate for a doctor to be the chair—if the chair needed to be a legally qualified person—the MPTS would ensure that that happened. Does that help with your query?

**Rhoda Grant:** Not really. It would be useful to know what could be done to prevent the creation of a barrier to a doctor becoming the chair of the tribunal.

**Jason Birch:** I think that there would be no barrier to that happening, but it would be for the tribunal to look into the circumstances and ensure that the right person had the legal qualifications. I think that it is open to the tribunal to have a legal assessor within it who is not the chair. The rules will allow a certain amount of flexibility to ensure that doctors are not prevented from becoming the chair of the tribunal.

**Rhoda Grant:** Do you know whether any guidance will be issued to that effect?

**Jason Birch:** Yes, guidance will definitely be issued on that point, because the specific concerns that you have raised have been analysed in the consultation response, and it is something that the GMC will take forward in the future.

**Shona Robison:** We can certainly feed back that the committee raised the point this morning and it needs to be clarified strongly in guidance. I do not think that it is a material issue, but it is an important point and we will ensure that it is picked up in the guidance through feedback.

10:15

**Rhoda Grant:** Can I ask another question?

**The Convener:** Yes. Go on.

**Rhoda Grant:** The BMA was also concerned about how people would be advised of decisions. It said that decisions would be given by email rather than by letter, and it was concerned that people might not read all their emails so decisions should go out by letter. I am keener that we communicate electronically, but I wonder what steps will be taken to ensure that people receive emails. Will there be read receipts, delivery receipts and the like? What will happen if emails are not received? Will there be a system to monitor whether somebody has received, and indeed read, the decision? If they have not, is there a fallback position that people will be written to?

**Shona Robison:** Yes, it is important to have the most efficient system, which is why electronic delivery has been prioritised. As I understand it, there will be a receipt system. On the very rare occasions when email is not available, I presume that the communication will take place by letter.

**Ailsa Garland:** The order makes provision for decisions to be sent either by post or, when that has been requested, by email. There is a specific provision to say that delivery is

“effected only if there is an electronic receipt showing that the email has been opened”.

How someone will receive a decision will be pre-arranged, and there will have to be evidence of its having been received.

**Bob Doris (Glasgow) (SNP):** I would like to follow up briefly on some of the comments that Rhoda Grant made.

Mr Birch, I thought that it was reasonable to ensure that there would be no inadvertent barriers to a medical professional being chair of a tribunal, but you said that there could be discretion. To clarify, does that mean that there is no automatic barrier to such a person being a chair and that discretion could be shown, which could be teased out in guidance? That is not a barrier to my approving the statutory instrument, but it is important to get it clearly on the record today. Will there be a degree of discretion or will it be the case that, by default, such people cannot chair tribunals?

**Jason Birch:** There will be discretion, and rules will be made on that point by the GMC.

**Bob Doris:** Will that be fleshed out further in guidance?

**Jason Birch:** Yes, absolutely.

**Bob Doris:** Okay. That was important for me. It was not a deal breaker, but I wanted to get it on the record, because members are raising concerns that other people have also raised.

I am reading from the notes that we were provided with in preparation for today's meeting. The explanatory note for the knowledge of English order states:

“The relevant regulatory body would set out in advance the criteria as to what evidence would be appropriate to demonstrate an acceptable level of English language knowledge. The criteria must be flexible.”

That last sentence is important. If I were to raise any concern, it would be that we should have a uniform pass/fail barrier for people's standard of English. That would not just catch other EU nationals; it should, quite rightly, catch long-term UK residents. What I am trying to tease out is that it would not be a straightforward case of sitting a test to see whether someone has the relevant standard of English, but rather, that the regulatory bodies would think carefully about the proficiency levels needed to perform each particular role.

I would welcome confirmation on that point. I would also like you to confirm whether we are still seeking to encourage EU nationals and others to work in our national health service, because they are vital. I would welcome confirmation that it will be made clear to people who have the relevant qualifications that they have passed the

qualification barrier, irrespective of whether they get registration at that point.

My other question is whether any advice will be given to individuals who perhaps do not have English proficiency but who might want to get to that standard in order that they might apply at a later date. What is the Government's view with regard to supporting people to take the steps that would allow registration?

**Shona Robison:** I will answer in general terms before asking Jason Birch to come in on some of the detail.

We do not want unnecessary barriers. That is why I used the words “fairness” and “proportionate” in my opening remarks. The order changes the position so that the EU professional will still be entitled to be registered, but only after their qualification has been recognised and they can demonstrate the necessary knowledge of the English language. That is not a question about their qualification; it is about their English language skills.

On the guidance that the regulatory bodies will set out, they are all looking towards the International English Language Testing System to provide continuity of approach. It involves a test of all four language skills: listening, reading, writing and speaking. The academic version of the test is widely accepted by employers as a good standard. The guidance that the regulatory bodies develop will probably centre on that testing system.

**Jason Birch:** Absolutely. They do not have to stick to that, but it is seen as a good standard. The really important point is that there cannot be blanket testing. The issue crops up only when there are concerns about language ability. With regard to the European directive, there is a definite separation between the recognition of qualifications and the ability to get on the register in practice.

**Graeme Dey:** Am I right in thinking that you suggested that assessments could be deployed retrospectively for people who are already in post?

**Shona Robison:** Yes, if concerns are raised.

**Graeme Dey:** What would be the processes for raising concerns? Who could raise concerns and what mechanism would be in place to filter out any malicious complaints so that they did not escalate to the point at which somebody was put through an assessment unnecessarily?

**Jason Birch:** The process would involve a fitness-to-practise ground, and a concern would be investigated in the same way as any allegation would normally be investigated. It would go through the same checking procedure as would be involved if concerns were raised about any healthcare professional. Introducing that new



fitness-to-practise ground is one of the legislation's key points.

**Rhoda Grant:** I have a couple of questions that are based on the evidence that we got from the Medical Defence Union. It expressed concerns about the fact that the tribunal could refuse to admit evidence and could award costs, which it thought was more of a punitive measure than an investigative measure. On what grounds would it refuse to admit evidence and on what grounds would it allocate costs?

**Jason Birch:** I know that concerns have been raised about costs. The logic of the policy of introducing costs is to prevent instances of fitness-to-practise cases going ahead that are vexatious and are unlikely to succeed.

**Rhoda Grant:** I understood that the allocation of costs was to the defendant. If someone was asked to come to a fitness-to-practise tribunal to defend their record, they might face having costs allocated to them, which is almost like a barrier to justice.

**Jason Birch:** Of course, a fitness-to-practise case could result in that happening. It is a technical issue that was raised in the consultation process. The GMC will provide guidance to cover that concern in due course.

**Rhoda Grant:** What about refusing to admit evidence? It seems pretty onerous to say to somebody, "We're taking you to a tribunal because of your practice. We're not going to admit the evidence that you're putting forward in your defence and, what is more, we can allocate costs against you if you defend yourself."

**Jason Birch:** The position depends on the circumstances of the case. I think that the current rules state that something quite similar can happen. That needs to be taken into account.

Ailsa Garland might want to comment on evidence.

**Ailsa Garland:** It is normal in any court or form of tribunal that evidence might not be admitted if it is thought to be irrelevant to the case. I do not know the detail of the concerns that Rhoda Grant raises.

**Rhoda Grant:** It is not very clear in the relevant order on what basis evidence could be—

**Ailsa Garland:** I do not think that the issue comes from the order. I do not know whether it is to do with how cases are expected to be managed or whether that will be set down in rules.

**Shona Robison:** We need to clarify the point. I might be wrong, but I understood that such powers already exist and that what is proposed does not diverge from what can happen at the moment.

However, we need to clarify that, and we will write to you about it.

**Bob Doris:** The cabinet secretary might have just answered the question, but I understand that, in any tribunal process, it is for the tribunal's chair and the tribunal to decide what is and is not admissible.

**Shona Robison:** That is my understanding, too. I understand that the order will not change that particularly, but we need to get absolute clarity on that. We will get that in short order and drop the committee a note as quickly as we can.

**Nanette Milne (North East Scotland) (Con):** The Medical Defence Union opposes article 21. It states:

"There is no need for the GMC to state an over-arching objective in the primary legislation."

It says that, in practice, the panels in the tribunal system already look at and bear in mind

"the maintenance of public confidence in the profession"

and

"proper standards of conduct and behaviour."

It says that panels

"pay proper regard to such objectives"

already, and it states that

"Enshrining them in primary legislation may well result in a panel placing an emphasis on them to the detriment of the fundamental responsibility of the panel to ensure a fair and just hearing."

What are your thoughts on that?

**Jason Birch:** There are two elements. There is the overarching objective, which you mentioned, and there is an overriding objective for the panels to ensure that the rules are fair and just. If the two conflict, the overriding objective takes precedence. I hope that that answers that part of the question.

Maintaining public confidence as part and parcel of the overarching objective is already in the case law, but the order sets it on a statutory footing so that it is clearer. The intention in due course is to ensure that all the regulators have the same overarching objective, in order to have much greater consistency.

**Nanette Milne:** That is helpful.

**Bob Doris:** It appears to me from reading the notes and the BMA submission and from points that have been raised today that a lot of this is about formalising and putting on a statutory footing things that are happening. My preference is to support the order, but I would like to know whether there is a natural review process. Will a review be done after one, two or three years to ensure that the system is continuing to do what we want it to

do? Where will that sit? It is important to raise that today at the committee.

**Shona Robison:** We would consider that in the normal course of events anyway. After any changes, we would expect the regulators to monitor the effectiveness of new procedures. We could perhaps agree to furnish the committee in a year's time with the findings from the regulator and any issues that arise. We would be happy to do that.

**Bob Doris:** That would give me some comfort.

10:30

**The Convener:** I will recap for the benefit of committee members who have asked questions and raised concerns. I am sure that I got an acknowledgement from you, cabinet secretary, that the concerns that have been raised will not be dismissed and will be taken into the discussions on how the guidelines will be implemented, and you have said that you will seek clarity on some questions that have been asked and return that information to the committee. It would be useful to have that on the record, and then we can move to the next stage of the debate and proceed with the SIs.

**Shona Robison:** Absolutely. I give you that commitment.

**The Convener:** Thank you very much.

There are no further questions from committee members, so we move to item 2, which is the formal debate on the first of the affirmative instruments on which we have just taken evidence. I am sure that I do not need to, but I remind committee members and others that the question session is over, so no more questions can be put to the cabinet secretary. Officials are not allowed to speak in the debate, as I am sure they know. I invite the cabinet secretary to move motion S4M-12564.

*Motion moved,*

That the Health and Sport Committee recommends that the General Medical Council (Fitness to Practise and Over-arching Objective) and the Professional Standards Authority for Health and Social Care (References to Court) Order 2015 [draft] be approved.—[*Shona Robison.*]

**Rhoda Grant:** I put it on record that fitness to practise is important and that there is no move against the order at all. The concern that was expressed earlier was about ensuring that it is fit for purpose and works well. Given the cabinet secretary's reassurances, I think that we can make it work and meet some of the concerns that have been expressed.

**Shona Robison:** I reassure Rhoda Grant that we will feed back the points that the committee

has made and that we will come back with responses on the issues that were raised. In a year's time, or at an appropriate moment in the analysis and review of the operation of the new processes and procedures, we would be keen to come back to the committee with an update.

**The Convener:** That concludes the debate. The question is, that motion S4M-12564 be agreed to.

*Motion agreed to.*

**The Convener:** Item 3 is the formal debate on the second affirmative instrument. I have already pointed out who can speak and who cannot. I invite the cabinet secretary to move motion S4M-12563.

*Motion moved,*

That the Health and Sport Committee recommends that the Health Care and Associated Professions (Knowledge of English) Order 2015 be approved.—[*Shona Robison.*]

**Nanette Milne:** I welcome the order, because it is crucial that communication between professionals and patients is clearly understood on both sides. The order will help in situations where there are currently problems, so I support it.

**The Convener:** As no other members wish to comment, I invite the cabinet secretary to sum up.

**Shona Robison:** I agree with Nanette Milne. The order will enhance the arrangements, and I will ensure that we keep the committee updated as the regulatory bodies develop the guidance that we talked about.

**The Convener:** The question is, that motion S4M-12563 be agreed to.

*Motion agreed to.*

### **Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2015 [Draft]**

**The Convener:** Agenda item 4 is evidence on our final affirmative instrument of the day. The cabinet secretary will remain with us, but we are joined by Mike Liddle, the reshaping care team leader in the integration and reshaping care division, and Ruth Lunny, principal legal officer, from the Scottish Government.

I invite the cabinet secretary to make a brief statement.

**Shona Robison:** I will be brief, convener. The draft affirmative regulations reflect the Scottish Government's commitment to increasing free personal and nursing care payments in line with inflation. If approved, the regulations will continue to benefit vulnerable older people.

Last year, we increased the personal and nursing care payments for residents in care homes

in line with inflation. The regulations will further increase the weekly payments for personal care in line with inflation by £2, to £171 per week. They will also increase the additional nursing care payments by £1, to £78 per week.

In line with our partnership arrangements with local government, councils will meet the costs of the inflationary increases, which will total around £1.5 million in 2015-16. An additional £1.5 million annually was added to the funding for local authorities in October 2012 to cover those additional costs in the current spending review period up to 2015-16.

The free personal and nursing care policy continues to command strong support. I hope that the draft regulations will receive the committee's support. I am happy to take any questions.

**The Convener:** As there are no questions, I invite the cabinet secretary to move motion S4M-12562.

*Motion moved,*

That the Health and Sport Committee recommends that the Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2015 [draft] be approved.—[Shona Robison.]

*Motion agreed to.*

**The Convener:** That concludes consideration of subordinate legislation. I thank the cabinet secretary and her officials for attending.

I will suspend briefly while we set up our panel of witnesses for the next item.

10:37

*Meeting suspended.*

10:43

*On resuming—*

## **Commonwealth Games (Legacy)**

**The Convener:** We resume with agenda item 6, which continues last week's initial look at the Commonwealth games legacy. We have a round table of representatives from community sport hubs and local sports organisations—welcome to you all. As usual when we have a round table, I invite people to introduce themselves before we move to our discussion. My name is Duncan McNeil and I am the convener of the Health and Sport Committee and the member of the Scottish Parliament for Greenock and Inverclyde.

**Paul Reddish (Inch Park Community Sports Club):** Good morning. I am a trustee and volunteer at Inch Park Community Sports Club, which is a sport hub that is based in Edinburgh.

**Bob Doris:** I am a Glasgow MSP and deputy convener of the committee.

**Richard Lyle (Central Scotland) (SNP):** I am a Central Scotland MSP.

**Darren Reid (High Life Highland):** I am a community sport hub officer for High Life Highland.

**Rhoda Grant:** I am a Highlands and Islands MSP.

**Graeme Clee (North Lanarkshire Leisure):** I am the senior sport development officer for North Lanarkshire Leisure.

**Colin Keir (Edinburgh Western) (SNP):** I am the MSP for Edinburgh Western.

**Mike MacKenzie (Highlands and Islands) (SNP):** I am a Highlands and Islands MSP.

**David Smith (Drumchapel Community Sport Hub):** I am the chairperson of Drumchapel community sport hub.

**Fiona Cardwell (Glasgow Life):** I am the club coach and volunteer sports development officer for Glasgow Sport.

**Nanette Milne:** I am a North East Scotland MSP.

**Andrew Smyth (West Lothian Council):** I am a sports development and facilities team leader at West Lothian Council.

10:45

**The Convener:** Many thanks. You are all on record now as being at the committee meeting, so you can sit in silence for the rest of the meeting. To get the discussion going, Richard Lyle will ask the first question.

**Richard Lyle:** As the convener said, last week we heard from sportscotland, sports associations and selected local authorities. Today, I want to hear from the people at the coalface. In one of the submissions that we received, one of your colleagues commented:

"I firmly believe that Sport is yet to be a permanent feature at the 'top' table of national responsibilities, until such a time, sport continues to fly in the face of this relative adversity".

In the view of the panel, what adversity does sport face and how do we move sport up to the top table to ensure that it is given its rightful place and to improve the health of our nation?

**The Convener:** Andrew, do you want to respond first? I can see you bracing yourself.

**Andrew Smyth:** I am just trying to process the question.

**The Convener:** Right, you can go first, then.

**Andrew Smyth:** There is a major challenge for sport around making the ties between the sport agenda and the health agenda. There are definite benefits and there are obvious ties, but at the moment a lot of them seem to be anecdotal rather than evidence based.

Taking part in sport brings a massive number of benefits to people and communities. Along with the health benefits and the fitness benefits, there is the sociability element—the opportunity to meet new people and break down barriers across communities. Being able to make definite ties between sport and the other items on the agenda will allow sport to move up the agenda.

**Paul Reddish:** I will give you a comparison to show where I think sport is behind on this issue and does not help itself. Participation in sport is important, but if you were performing a new medical treatment, you would not measure its success based on how many people started the treatment; you would measure its success by the results.

Some of the examples that Andrew Smyth cited are right and there is a lot of evidence out there, but when we look at what is published—when we talk about legacy and impact—a lot of it is around numbers. To start to persuade people who do not work in sport about the benefits of sport, we need to become a bit more outcomes focused when we make our case about the difference that sport makes. Those of us who work in sport see that difference every day. However, from a communications perspective, we are not as strong at putting forward the wider benefits of sport—the wider positive outcomes, apart from the sporting elements.

**David Smith:** I believe that there is a reliance on volunteers who are already overcommitted and

overstretched. Because of their personalities, they want to make a contribution and feel that what they have to offer will be beneficial. However, there are not enough volunteers for them to be able to participate without being overstretched.

Another issue, certainly in Drumchapel, is that funding is ring fenced. A budget came along with our community sport hub but the money has to be spent on addressing certain issues. Mr Lyle mentioned that he wanted to hear from the people at the coalface. That is great, and thank you very much for the invitation to come along and speak here today. Who better to know what the money should be spent on in our communities than the people who live there and the people who operate there?

To receive a budget in order to benefit sport is fantastic. However, walking around my community, I might find that issue A is important to the people in that community but when I come back to the community sport hub meeting, I hear that the money can only be spent on issues B, C and D. When you are walking around, you think that you can make a difference on issue A, but the tools that you have to do the job do not fit. That is an issue. For me, the number 1 issue is the postcode lottery of access to sport.

In the community where I live, to give some idea of the issue, it costs £35.50 to hire an artificial grass pitch or a pitch for under-16s. Most neighbouring authorities that border Glasgow give access to facilities for under-16s for free. In other local authorities, for instance West Dunbartonshire Council, hire of a similar facility costs £13 an hour. We face a barrier straightaway when we identify an issue such as getting people involved in sport, increasing participation, or the Commonwealth games legacy—all the buzzwords. The number 1 issue that we meet every time we organise an event or congregate people together to consult them is that we have to pay all that money for the use of a facility. We could go to a neighbouring authority and hire its facilities, but that takes away the point, which is to do it in our own community. For me, those are three of the major issues that we face in Drumchapel and Glasgow.

**The Convener:** A number of issues have been mentioned. Does anyone want to take up some of them—for example, the barriers or the strategy of giving the money to the communities? I can see that Bob Doris wants to ask a question, but I would like to bring in some other panellists to get a discussion going. Sorry, Bob.

**Darren Reid:** I think that David Smith touched on my first point, which is about the opportunities we have with community sport hubs to have a community-led approach. In the Highlands, we find real success in being able to investigate the local sporting infrastructure from the bottom up. That

includes finding out who is involved in sport within the local community, where sport happens and whether all the people who are involved are talking to each other. A lot of people are involved in sports, at both professional and volunteer level, but the community sport hubs have given us an opportunity to nail down who is doing what within the local communities, where it happens and what the needs are of the local clubs.

I think that David Smith also mentioned the volunteering base. One of the key objectives of the community sport hubs in the Highlands concerns those people—specifically, how we help and support the people on the ground who make sport happen, to make their task a little easier. If the community sport hubs are to be a success, they have to be community led; they have to be driven by the people who are making sport happen within the local communities.

**Andrew Smyth:** In West Lothian Council we have used the hub as a vehicle to bring together other services in that community, in order to tackle a number of inequality issues. That work is being led by sport, which is bringing adults and children and young people to facilities to play sport through clubs. We also look at the health benefits, and link the children and the schools in those communities to the health services there.

Within the hub, we have a forum for the clubs. That allows local people to come and tell us their concerns, a large number of which relate to funding and to the pricing structure of sports halls and other facilities around West Lothian. We have used the hub to tackle that, and to look at pricing structures across hubs as we start to roll them out across the county. The club forum feeds into a strategic steering group that is led by the headteacher of the school and by local councillors, and the information allows them to understand the issues that local people face concerning health and sport.

**The Convener:** Do those tensions still exist? When we took evidence nearly 18 months ago on community sports and access to community resources, we heard of tensions with local clubs who did not see themselves as part of the sport hub. They would say things to David Smith such as, “Don’t bother paying professionals to deliver sport in the hub or the community centre. I’ve been doing that for 20 years. If you just give me some of that money, it will save me going out and fundraising and I’ll be able to spend more time coaching.” That would be a community objective.

We have heard some of that in evidence here. For example, a lot of the money that was going into certain sporting activities and legacy activities in Glasgow and beyond was not going into the sport clubs, but was being used to establish other means of delivering sport, while there were

hundreds of volunteers delivering the sport who needed urgent help with fundraising and so on. How have we managed that, and have we reduced that tension? I refer to the better working relationships with the existing sports clubs and the new sport hubs that have been built up, mainly in and around educational and community-supported facilities.

**Graeme Clee:** In North Lanarkshire, the community sport hub budget has been used mainly to develop the type of organisation to which you refer, in particular sports clubs that have a history of delivering within their communities. Very little of the sport hub budget in North Lanarkshire is being used to deliver new activities with a short-term focus. Long-term volunteer development projects have been involved, so as to empower the local community to deliver what is needed.

I return to the friction or clash between supporting clubs and the outcomes. That friction can be seen with facility managers because of a clash of objectives, with people operating facilities and having to make their income generation targets by letting the facilities. It may be of benefit to those managers not to have community organisations involved. They may want a commercial organisation that pays a higher let cost. That is where the priorities of sports development and facility development can clash.

**Paul Reddish:** I am not from a local authority—I represent a community-based sport hub—although one of our team sits at the table during the discussions in Edinburgh. There is still some work to do on that, although things have got better. I will explain exactly why that is. When the community sport hub strategy started, school-based models were considered in particular. There was such a drive around a single metric, getting sports and people involved, that it became a bit of a numbers game. A lot of the time, it was more of a reporting exercise rather than making any real improvement to provision or supporting the clubs in the areas concerned.

There has been a recognition of that, and from what I have seen things are starting to change. However, we are not quite there yet in Edinburgh. I have one slight worry that we will then grow too quickly and bring in more sport hubs while we have still not addressed that problem, and we might then hit the same problem again. I have been lobbying for a sort of step-back in Edinburgh. We should get it right before we grow any more sport hubs, rather than having another six here and another eight there, adding more reporting and more participation numbers, but not getting into the question of what will make a difference in the communities.

**The Convener:** Is that what you meant earlier, when you alluded to numbers and not just

counting the number of sports clubs or judging success on the numbers of participants, coaches and so on?

**Paul Reddish:** Yes. I can give you a prime example that is a manifestation of that. I do not want to be too critical of other set-ups and hubs, but one hub that has been put forward as being really successful in Edinburgh has about 35 clubs within it, and several thousand members. We were politely pushed a couple of years ago to say why we had only three or four clubs. We have set quite high standards whereby, if someone wants to be involved in the community, there are certain things that they must deliver. Otherwise, it is just a commercial let. The requirements include getting young people involved and delivering in schools and community organisations. Rather than collecting clubs, we have set a benchmark for what being a community sport hub is all about.

However, there was no opportunity to discuss that in the reporting that was done two years ago. It was more about the number of clubs. Something about the way in which national reporting has been done in the past has driven that behaviour. Things have started to change, but we are not quite there yet.

**Darren Reid:** I will tackle this from a Highlands point of view, and I will touch on the point about numbers. Fundamentally, our community sport hubs are a club development tool. By the end of 2015, we hope to have 60 clubs involved with community sport hubs, catering for 3,600 sports participants and around 350 volunteers. Fundamentally, our community sport hubs are about supporting that development and supporting the club infrastructure, to ensure that they are delivering the best that they can deliver, with the aim of providing a world-class sporting system in every one of their communities.

11:00

I want to touch upon the matter of understanding local needs. The community sport hub has been an opportunity to come together with local clubs; if one club is struggling with coach development or with promoting itself and the club along the road is asking for the same thing, it is a lot easier to deliver those things collectively, especially in a rural context. For example, when we deliver coaching courses, if we can team up with the school, the school's volunteers and the club volunteers, we can make things happen in our local communities.

My final point is about the professional input that comes alongside the community sport hubs. There has been a real benefit from having conversations with headteachers, with heads of physical education, with active schools co-ordinators, and

with the facility managers who touch on youth work. There is a professional structure within local communities, and through the community sport hubs we are starting to have conversations about how best we can support that local sporting structure.

**Andrew Smyth:** I agree with what Paul Reddish said about reporting. At Armadale community sport hub we saw massive growth in the first year to year and a half, but we are now at a stage where the facilities are maxed out and we will not get a lot of additional growth from that one facility. The numbers tell a certain story, but it is the softer evidence that goes behind that—the impact that we are having on the clubs, the increase in the number of coaches, the increase in the number of volunteers, the work that the clubs are doing in the schools in the Armadale community that they were not doing previously—that we in the local authority are looking at and reporting back to our councillors and senior managers.

From day 1, when we received the money from sportscotland, we set out to make the hub sustainable. That sustainability included being able to afford a professional officer in the hub from the income that was generated from the letting. We have been able to achieve that in Armadale, and for my team—the sports development and facilities team—that means that I now have an extra member of staff who is based in the community, and we can drive a lot of the provision that we run across the county very locally to the clubs in that sport hub. The professional officer does not do a 9-to-5 job; he works a very flexible pattern that allows him to be there for evenings and weekends, to get to know the clubs and to be able to support them and understand their needs. I look at sustainability from the professional officer side of it.

We also have an affiliation package that we will roll out to sport hubs as we move into other school estates across West Lothian. The package looks at everything from their accreditation, be it with the governing body or the local authority accreditation package, to what after-school activities they are running, what curriculum activities they have, and what other community things they are doing—for example, a fun day in the community, a fun run or some other health-promotion event. Are those clubs active and are they promoting their club and the health benefits that the club could bring to the local community?

The affiliation package also helps with the letting procedures. For example, if two clubs are looking at the same space on the same day and we know that one of them is just there for adult members to play their five-a-side football once a week, whereas the other is looking to develop young people through volunteering and through the sport,

the affiliation package helps us to make a good, informed decision on who can have that let. The affiliation package has brought us a number of benefits.

**David Smith:** I believe that in Drumchapel there has been a co-ordinated approach. Glasgow Life has been very supportive of all the clubs in the area. Through being chairperson of our group, I know that we have formed relationships with all the different people who have become part of the sport hub. There is a variety of different sports, and we are able to see at first hand the difference that having support staff makes, which is very good.

It is pleasing to hear from the other people who have contributed to the discussion that facilities seem to be good in other areas, and that there are different packages available for deciding who will get access to which let. However, bringing it back to Drumchapel, the issue for us was that for a long time the facilities were not up to standard. There were old-style astro pitches and gravel parks, which are not very suitable for modern sport. After realising that there was not much that we could do to improve them, we turned the focus to coach education and to improving the standard of coaching that volunteers deliver. That seemed to make a big difference. People were meeting other people in different sports, and we could see the difference that it was making. Whether it was people taking first aid courses or child protection courses, or progressing through the coaching pathway in whichever sport they belonged to through the national governing body, it all seemed to make a big difference.

Now, however, the facilities in our community have improved tenfold. A new 3G astro facility has been put down, there are better facilities available, Tennis Scotland has made a huge investment in the local tennis courts, and the local sports club has improved from a ramshackle building to a top-quality facility.

The people in our local communities have been campaigning on these issues for a number of years, prior to 2007 and 2008 when I first got involved in sport in my local community. Now that we have these fantastic facilities and they are the pride of the community, people love being there—for the volunteers, just having the opportunity to set foot on the new surfaces to do their coaching is everything that they have ever dreamed about—but the issue is that we are being priced out of using the facilities. People are travelling from other parts of Glasgow or outwith Glasgow to use the facilities in our local community. I do not have an issue with that. If someone wants to come and use the facility, that is great—it is populated, it is being used and there is a benefit to other people—but surely the people who live in that community and

who used the horrendous facilities that were there previously should have an opportunity to get on to the new surfaces, to get into the new indoor facilities and to use the new equipment that has been bought for their benefit.

That is certainly not the case as we sit here today, which is tragic. On my way here this morning on the train, I received a number of text messages and phone calls about volunteers at the club where I coach who are looking at private sector facilities that are cheaper to hire than the Glasgow Life facilities in our local community. For me that is an absolute travesty.

Another issue in our community is the prescriptive nature of the support from whichever organisation is supporting us. Glasgow Life has been a tremendous support to us for a prolonged period, but the problem is that the staff who support us also have an agenda and, in order to receive their support, we have to do this and do that. That has been mentioned already.

However, we need to remember why people volunteer. For me and all the volunteers I have ever met, the reason is that we enjoy it; people have participated in the sport as a child, they had a good experience and they want to give that back to the community where they live. That is why it is important to them. As people who are giving up their time for free to pass on whatever knowledge, experience or expertise they have developed, the last thing that they want to hear from somebody who is—let us not beat about the bush—being paid to sit at the table with them is that, in order to receive support, the volunteers have to do this, this and this.

For example, someone might be told, “In order for you to receive my support, you have to go into the school and coach.” The volunteer thinks, “Wait a minute. I only volunteered with my club because I enjoy this. I don’t want to be told that I have to give up more time to go here and coach, and then to go there and coach, if I want to keep your support.” For us, that is another issue.

**The Convener:** Thank you. Issues are being raised here that were identified, in a general way, in our report of some 18 months ago—that includes the whole question of access—and you have explained that some of them, right down at the ground, are still there.

**Mike MacKenzie:** I was very struck by Andrew Smyth’s point that, thus far, all we have is an anecdotal connection between participation in sport and health outcomes. You will recall, convener, that I brought that up at last week’s meeting.

It is, perhaps, a challenge for us as a committee to see whether there is any research that goes beyond anecdotal evidence and which makes the

connection between greater participation in sport and not the health outcomes per se but the general population making changes to follow more active lifestyles. I think that the committee should follow up on that and perhaps feed back to the folk who have given evidence today. If we establish that connection, we can perhaps make a better case for funding facilities. Do the witnesses agree?

While I have wrestled control of the microphone, I want to raise the issue of funding. David Smith talked about the method of funding our sporting facilities. Forgive my ignorance, but I wonder how much VAT is charged for the use of facilities. Perhaps that is a question for the committee to investigate. I would expect the UK Government to be sympathetic to looking at either reducing VAT or zero rating it. I am aware—and Darren Reid will know—that the Lochaber Sports Association has a particular problem with VAT at 20 per cent on its construction costs for a facility. We funded the Commonwealth games in Scotland, and we are talking about the legacy. What contribution is the UK Government making? Perhaps the mechanism for that contribution should be a reduction in VAT. What do the witnesses think about that?

**Paul Reddish:** I do not know quite where to start with that. I will make a couple of points on outcomes and funding and then give you a direct answer on how you can help.

The outcomes are there. Those of us who are involved in youth work and sport, including Drumchapel community sport hub, the Robertson Trust and other funding bodies, have benefited from an awful lot of work that looks specifically at outcomes. There is quite a nice framework that covers things such as links to antisocial behaviour, the difference between outputs and outcomes and various other things, and how all that can be applied back to programmes. The research is there. The outcomes that sport can deliver for the community and society in Scotland have been well researched and that information is available.

The challenge is that the outcomes are not widely known about by all sports clubs and, to go back to a point that David Smith made about funding—we have already talked about some aspects of reporting—the information is not asked for. In order to release funding for certain things, clubs must be able to provide evidence about participation, for example. There is no incentive, if you like, to bring outcomes to the fore.

On what the committee can do, the research is there but how can we get it further out there and how can we link it to the different submissions that are required, instead of everything being about the one-dimensional numbers thing?

On funding and VAT, the issue is more about expertise, and it goes back to volunteers. Sports clubs can do certain things to give themselves VAT breaks, claim back gift aid and so on, but most sports clubs are run by volunteers—the treasurer probably has a working knowledge of Excel and that is about it. If the question is whether VAT breaks are available to sports clubs, the answer would probably be yes. If you are fortunate to have a club like ours, which has the relevant expertise, that is great—the club can benefit from that expertise. However, the system is just too complicated and time consuming for your general Joe Bloggs sports club. The challenge for the committee would be how it can make the system simple enough for the treasurers with a base level of skill who do the accounts to make it work for their club.

11:15

**Fiona Cardwell:** On the point about clubs' financial knowledge, Paul Reddish is right to say that there is not a lot of expertise at clubs that are run by volunteers, whose primary concern is their community and the development of sport. Glasgow has identified that as an issue. We have 10 clubs on a pilot sustainability programme that is run in conjunction with Jobs and Business Glasgow. We hope that the programme will give those 10 clubs the skills and knowledge to move forward and develop their structure in a way that will make them financially sustainable. We hope that they will get advice and information about where they can make savings and about things that they currently are not aware of.

Sports development officers are good at telling clubs where funding is, but perhaps we fall short when it comes to telling them about sustainability and how they can structure their club better in terms of managing their income and outgoings.

**David Smith:** On funding for clubs, it is the people who participate in the clubs and pay their subscriptions weekly, monthly and annually who fund them. For us in Drumchapel, that can be a big issue. Drumchapel ranks low on the Scottish index of multiple deprivation. I have some statistics from the NHS neighbourhood profile 2014. It says that 47 per cent of people in our community are still living in poverty; 69 per cent of households do not have access to a car or other mode of transport; and 45 per cent of the people in our demographic are in single-parent, low-income households. Given those figures, the fact that members have to pay subscriptions is obviously an issue for us. Another issue is the fact that the facilities are expensive.

I am absolutely delighted to hear from Paul Reddish that clubs can claim back gift aid and about the points he made about VAT. That kind of



information should be made readily available to anybody who puts their hand up to volunteer in community sport. If the information is there and the help can be applied for, why did I not know about it before now?

On Mike McKenzie's point about claiming back VAT, anything that can be done to make a volunteer's job easier should be done, because a volunteer might have a job or a family—

**The Convener:** You have made your point about costs, and the committee has considered that issue. Although costs can be a barrier, they are not always a barrier, and we heard last week that addressing that issue does not necessarily increase participation.

I live in an area where there is free football, but that does not guarantee that those who participate get to play for free, because the fact that the facility is free is not necessarily passed on. Perhaps you can reflect on that and tell us how you would pass that on to ensure that people who you rightly describe as being in need could play for free on a Saturday, a Sunday or a Wednesday. That is the next challenge. The clubs still need to raise money, and, despite the fact that the facility is free, they still charge those who participate the same amount.

We have got the message about access to facilities during school holidays and transport, which can be very difficult.

Mike McKenzie raised other issues. Does anybody want to respond to them now?

**Andrew Smyth:** Those who have spoken about how onerous running a sports club can be for volunteers are right. There is a question of balance, because professional people have to be in place who can support clubs to develop and grow.

On what has been said about gift aid and so on, more and more clubs in our area are becoming incorporated organisations. Historically, clubs have been constituted in such a way that, apart from their governing body, they have no one to report to and no other status. There is a move now, among the more organised clubs, to move towards charitable status, whether that involves becoming a full charity, a company limited by guarantee or a Scottish charitable incorporated organisation.

I am learning about that just now—I feel that I am a wee bit behind the curve on it. There is a lot of learning to be done in that area, and a lot of benefits can be brought to clubs, through gift aid, claiming back VAT and so on. Local authorities are working on that. We are getting guys in to give our development officers training to help us understand the move to incorporated

organisations. That approach also gives the clubs better legal support and takes liability away from committee members.

I agree 100 per cent that there is massive pressure on volunteers to develop local sport in communities. I see it as my job in my local authority to try to take a wee bit of that pressure off the volunteers. I volunteer at a club. I have a young family and a full-time job, and I know how precious my time is, and that will be replicated across my committee, other committees and other clubs.

I want to go back briefly to Paul Reddish's comment about the studies, information and evidence that are out there on the links between health and sport. There is evidence—he is right—from the Robertson Trust and other funding bodies, but that information is being held within those organisations. There is not enough educational evidence from universities that looks at the links between health inequalities and participation in sport. It is important that more studies are done and more reports are published, because that is where ministers and politicians will go to when they come up with policies. They will not go to places such as the Robertson Trust. They will go to what is on the shelf and available through journals and so on. We need more educational studies on the links between sport and health.

**The Convener:** Thank you. We appreciate your comments. I also thank Mike MacKenzie for his questions, which brought out some additional stuff.

**Rhoda Grant:** When we look to devise policy, we are all keen to get people more active because of the benefits not just for physical health but for mental health and education—the benefits go on and on. It seems that, this morning, people are almost splitting into two groups. One group uses sport hubs for community development and has volunteers to do all of that. The other group is asking how we allow those clubs to become fun, which keeps people going and has the mental health benefits—in other words, how do we allow volunteers to volunteer in a way that is suitable for them?

I do not think that those two things are mutually exclusive. We should not be saying that we can have only one or the other. How can we equip hubs to support both groups? We want to go into schools and communities to encourage people who are not active to become more active and maybe join clubs that are already there, but how do we also support and keep the volunteers, who may be volunteering for fun? They may have got involved because they have a child who is interested in the sport. How do we keep them on board while trying to grow the whole thing?

**Paul Reddish:** The questions are getting harder, are they not? In my day job, I run a national volunteering organisation, and that is the constant challenge that we have. We work with charities all the time, and the constant unanswered question is how they can deliver on their strategic objectives when they rely on a voluntary workforce who are doing it for the things that they enjoy. I still do not have an answer to that, but I will go into one or two things that could help.

At a national level, when the committee is thinking about community sport hubs, the recognition that everyone is different would be a starting point. There are models in schools, there are models such as mine that involve wholly owned community assets, there are models around sport clubs, there are models that are based in deprived communities such as Drumchapel and there are models that are based in more affluent communities. I explain that because the needs of each will be different, and the reasons why the volunteers are volunteering may well be different.

The nearest local cricket club to us is Carlton Cricket Club, which is up the road. A lot of the kids who go to that club are from independent schools, and its junior section generates a profit. It costs £140 just to join. People get a nice key to the gate—they can walk their dog round the grounds and that sort of thing—and most of the volunteers are parents of the kids.

The volunteers we work with face challenges. They work with some young people whose outcomes would be quite difficult if they were not doing sport.

Clubs' social cores can be quite different. I am sorry that this is a long answer, but my point is that the motivations of the club up the road are different from those of the one that I work with, because the community's needs are different. If you could recognise that each community and each community sport hub has different needs and that the volunteers may have different motivations, which should be supported, that would be a good move forward, rather than looking at a community sport hub as a nebulous concept.

**Andrew Smyth:** A lot of community sport hubs are based in the school estate. In our case, we have spent a lot of time working on our relationship with the headteachers of the local high school and associated primary schools, and we work closely with active schools teams, too.

We talk about clubs helping with curricular activities and after-school activities, but it would not necessarily be the head coach of the club who does the evening stuff, because they generally have a full-time job. Therefore, we must look to

see what other resources are available to us. For example, every high school in West Lothian runs sports leaders courses, so we are looking at whether, through those courses, we can develop young people to support other sports activities.

We are not talking about Olympic-level sport; it is, as Rhoda Grant said, sport for fun, which is about engaging the kids and getting them to choose to take part in a sport more often. We need to look at other local mechanisms to allow that youth participation in curricular activities in school and in extra-curricular activities, which can then feed into clubs.

**David Smith:** In our community, we have found that, in order to keep people involved in sport and to make it fun, there needs to be a two-pronged approach. I am of the firm belief that the people who are involved are your biggest and best resource. If you can utilise whatever skills or abilities they bring to the table, special things can happen.

I have been banging the drum about finance, but as I sit here, I am also reflecting on some of the special people—the characters—we have in our community and what we have been able to pull off collectively through being involved in the sport hub. A couple of events spring to mind that demonstrate that dual-pronged approach.

For the past few years, we have been organising the Drumwealth games, mainly targeting primary and high school pupils. We say to the kids, "Hey, these are all your clubs in your local community. Come along, try them out and see if you think it's fun. If you do—great. Here are the contact details about how you can join." That is about targeting new players, athletes and performers and engaging them in a fun experience. We have found that that has worked well.

Another event, D in the park, is more about public relations and targeting the community. We get around a lot of the financial aspects by holding the event in the local park. We all turn up with whatever equipment we have. We plan, organise and advertise it. Everyone comes along for a day and takes part for free. Football, taekwondo, judo and lots of other different sports take place in the middle of the park. Flyers are handed out. Parents can come and try the sports with their child, whether their child is two months old or 20 years old.

Those two events seem to be working well, hence we replicate them every year. On increasing involvement and removing barriers, we have found that the events work well. They are fun, so the community engages with them well.

**The Convener:** Dave Smith is beating the drum for Drumchapel. That is a good one; that will be tweeted later—well done.

Does Darren Reid want to respond to Rhoda Grant's question?

**Darren Reid:** Yes, please.

The rest of the guys around the table have made some good points. To get back to Rhoda Grant's question, the opportunity that the community sport hubs offer is that all the partners are around the same table. We have social clubs—the fun element; we have schools co-ordinators driving participation levels through schools; and we have the performance sport side, with clubs driving athletes to be the best that they can be.

Collectively, we are delivering that quality package of sport and physical activity that caters for every need within the local community. At the moment we involve sports clubs and people who are directly involved in sport; we are starting to get the youth workers round the table too; and we are thinking about getting the health service involved. All those people influence sport within the local community. I would like to get our community sport hubs to the end point, with people in the local community thinking, "There is something for me to keep me healthy and active."

11:30

**Fiona Cardwell:** David Smith spoke about two events and I cannot emphasise enough the importance of partnership work in making them work.

The D60 group was set up to celebrate Drumchapel's 60th birthday. The Forestry Commission was at the table, as was I, representing the community sport hub. I go back to speak to David Smith and the guys involved with the hub. Those events only happen because such groups come together.

There is a similar situation with the Drumwealth games. The active schools network plays a key role in communicating with schools and helping us to understand what events the kids want to be involved in. That means that we can put on fun activities that they want to take part in. More important, we can follow that up, because the event is delivered by local clubs. If those kids enjoy the event, the very next day they can go and play football or tennis locally. It is not down to a commercial enterprise to deliver it, and the kids will not have to pay top dollar. An event can happen in their own school on a Friday and the next week they can go and take part in whatever sport they enjoy.

It is really important that we ensure that the activities in the local area are sustainable by utilising the local clubs that are willing to take part. It is very much a partnership approach. That is how we ensure that things are fun for people, while still meeting the objectives that we have been set.

**Bob Doris:** It is an interesting discussion. I am interested in teasing out where there is less going on. David Smith gave a powerful example of volunteers leading in Drumchapel. He raised a variety of issues about costs and pressure on volunteers, which need to be dealt with.

I attended a meeting in Royston in Glasgow, where we are, as part of the regeneration of the area, trying to map out the local sporting opportunities. There are a few, but it is mainly football; there may be others, but not many.

My question is not specifically for Glasgow Life, because there are various local authorities represented here. What mapping is done for the various local authorities of where there are black spots where people thirst to be involved in a variety of sports, but have not had the opportunity? Is development work being done to bring forward communities that are not at the stage of David Smith and the sport hub at Drumchapel—although it has barriers to overcome to develop further? We know that people are travelling outwith their communities to do sport, so what kind of mapping takes place to show the parts of a local authority area in which not much is going on? People in Royston, for example, may go elsewhere to do sport, or they may not go at all. How do you tease out that information and what sports and physical activity development work do you do to nurture opportunities?

**Andrew Smyth:** We are moving into the second phase of funding for community sport hubs. One of the first schools that we are working in is Whitburn academy, which was suggested by the council's senior management. It is quite close to Armadale, and we had been thinking of putting a hub at the other side of West Lothian, but the council's senior managers were keen for us to use the model that we had and make it work in a more challenging area. Armadale has been a challenge, but Whitburn will be even more of a challenge.

The situation is similar to what Bob Doris described—there are a couple of sports clubs in Whitburn, but it is mainly football. Some of the football teams within the clubs have been moving out to other facilities in other parts of the county, because the facilities in Whitburn have not been accessible or up to standard, so the clubs do not want to play there. There is a wider regeneration package taking place in Whitburn and the community sport hub is part of that.

The first issue for us to tackle is access to facilities in the school estate. The school estate has a rugby pitch, a 3G football pitch, a sports hall with three badminton courts, a dance studio and a swimming pool, but access to it through the current public-private partnership contract has been quite restricted. We are now using the sport hub to challenge the PPP contract and to try to get maximum access. At the moment, we do not get access at the weekends, but we are in discussions on that. There is a 3G pitch sitting there that clubs could play on at the weekend, no matter the weather—apart from snow, perhaps. We are looking at that, but we are still struggling to get access to the swimming pool, which would allow more swimming club use in the town. We are using the sport hub to provide access to facilities so that clubs can come in.

On increasing the number of clubs and developing clubs, as I mentioned I have a sports development officer at Armadale who works directly with clubs. The clubs meet him face to face to discuss their development needs. He looks at them individually and then generates a plan setting out their coach education needs and so on. He considers the clubs' links to schools and he works with the active schools co-ordinators to introduce better or more links with schools which, we hope, will drive participation.

By having hubs in different areas, we can improve contact with clubs, compared to the current situation in which we have only five officers working across the county with 60-odd clubs. We are using the hubs to direct a wee bit more officer time to the clubs in those areas.

**Graeme Clee:** The initial mapping exercise that was carried out in North Lanarkshire was about establishing a working relationship with the cultural trust to operate our system of community access to facilities. The aim is to get a picture of and to report on what is provided in the sites that we use. All of our hubs are school sites. We are developing broader knowledge. That involves looking at the active schools reports and considering priority sports in the areas, which is where there is a large amount of participation that is not catered for by the community. We work in partnership with Scottish Government bodies to find out their priorities for developing sport in North Lanarkshire, and consider what support we can have.

It is really about the partnership approach, which has been spoken about a number of times. We are tying in our sport-specific development plans to our sports development officers. The whole concept is about sharing information and getting as many people as possible round the table so that we can have a picture of where and when we need to develop sports in our hubs.

**Bob Doris:** Where there are clubs and volunteers, it is possible to build capacity and help to develop them. I was asking whether a mapping exercise is done to find out where there is a lack of clubs or volunteers and therefore lack of provision. What development work is done on that? In some respects, if we want to achieve success, the low-hanging fruit is identification of clubs that, with a bit of assistance, could be spectacular. That is a good thing to do, but I am interested in the work that is being done where there is not a range of provision.

Where sports trusts and local authorities have a centralised system for mapping out who uses the larger facilities in their areas, they could maybe work out who is and is not using those facilities. Some people will travel outwith their communities to go to facilities, but others will not do that. Has mapping and planning been done in relation to that? I am not trying to be awkward; I just think that that is a really obvious thing to do to get physically active those who are least physically active, or to work with those who have not yet volunteered so that they start volunteering. It is important to develop clubs and volunteers that already exist, but I am asking about where there are gaps.

**Graeme Clee:** I will give a specific example from our sport hub in St Margaret's high school in Airdrie. There is no history of the sport of netball and no club infrastructure for it in the area—it just does not exist in that community. However, netball is one of the largest participation sports in the school environment in the area. That is very much a circumstance in which people have to travel a number of miles to participate in the sport.

The approach that we have taken goes back to what Andrew Smyth touched on earlier, with our school-based volunteers identifying young leaders in schools. We established a coach development programme in that high school cluster for the Airdrie community and we put young people between the ages of 16 and 24 through a range of generic coaching qualifications, upscaled to give them the expertise to become leaders in that community. Off the back of that, we have identified three new volunteers to establish a netball club. That pathway for sport-specific coaching qualifications is now established.

The community sport hub aspect comes in because we are linking that to one of the stronger clubs in the hub—a football club that is a legacy-level, quality-mark club. That 500-member football club is looking to expand the provision that it offers in the community. That is an example of the sports hub identifying a need, taking a volunteer development approach and then tagging that on to an existing club in order to provide infrastructure and support, so that the new volunteers are not

left alone with the burden of running the club. I hope that that answers the first part of the question.

**Bob Doris:** That is a great example.

**Darren Reid:** That is a really interesting point. One of the aspects of getting the community sport hubs off the ground in Highland was a mapping process, so it was an exciting process, starting with a blank canvas and saying, "Let's go to Tain and see what's out there." We wanted to reach people who are not necessarily captured in statistics from active school monitoring online. There are lots of groups that say, "We're not a sports club. We're just a group of guys who play badminton on a Tuesday night," or "We're just a group of guys and girls who go running on a Tuesday." Those people may not be captured in other statistics, but the community sport hubs have been a vehicle for capturing those people and identifying where the gaps are.

As Graeme Clee said, having the schools round the table allowed us to identify the fact that there is lots of netball going on in school and after school, but no club provision. We can now look at whether there is an opportunity to make that happen, so the mapping process was vital to where we went with community sport hubs.

**Andrew Smyth:** We are in the early stages of getting the Whitburn model developed. As has been said, councillors are involved in the club forum. The Whitburn and District Community Development Trust looks at the town as a whole and considers what things could benefit the people of Whitburn, and there is also a sports club there called Whitburn sports club, which at the moment is a coalition of football clubs but is looking to expand to support other sports as well. Those groups are all round the table, as are youth leaders within the school. At the last sports forum for the Whitburn community sport hub, the youth leader presented the findings from a questionnaire that had been distributed in the school to ask people what sports they take part in and where they take part in them—in Whitburn or elsewhere. That provided a good bit of information from pupils in secondary 1 to S4 in Whitburn academy about their aspirations. It showed why those who are taking part in sport are doing so, and why those who are not participating are not, and it asked whether people are taking part in sport locally or further afield. We have done that mapping exercise and will continue to do it. That is vital, because otherwise we will not hit targets or support local communities.

**Colin Keir:** I am happy to hear that things are moving along quite nicely with clubs and sport hubs. I would like to ask about PPP school projects, and I might touch on other areas as well. We have been dealing a lot with hubs and clubs,

but what about the people who just want to be able to walk in and use a facility such as a swimming pool? What is being done for them? There are people like me who could probably do with losing a few pounds but cannot get into their local hubs just to go for a swim. What work is being done to create space and availability for those people?

11:45

**Paul Reddish:** It can be a bit of a problem when physical activity gets mixed up with sports clubs and participation. At Inch Park, we have found that we have had to think very differently about how we engage young people who do not have an interest in sport. It is the same point from a different angle; they do not want to go along to an organised session in which there are 30 other people who they think will be better than them. How do we engage somebody who has such a negative perception of sport, physical activity and probably themselves, and help them to share in a community asset? Such people will not just walk in, even if they are given that opportunity, so we have had to think quite differently about how we structure programmes.

**Colin Keir:** How do you quantify that? We are talking about middle-aged people, as well—not just kids. That was a bit of a sweeping statement, because people go into sport at different times for different reasons. I am not sure that I wholeheartedly agree with what you just said.

**Paul Reddish:** Which aspect do you mean? I am sorry.

**Colin Keir:** I mean the sweeping statement that you will not get people in anyway because of their negative attitude. That is what you just said. It is not a matter of their having a negative attitude. People want to go into facilities. It is another struggle to get people who are not interested in going into them to do so, but people want to get in, cannot get the time and the space, and do not want to become members of clubs.

**Paul Reddish:** Sure. I gave a specific example of a group of young people. I am not saying for a minute that there are not people in the circumstances that Colin Keir describes, but I cannot give an example of them to answer the question about access for people in different areas. I can talk from experience about the specific group of young people who are in the situation that I described.

I made that point because the answer is still the same. Rather than having a traditional membership model—on a Tuesday night, for example, people go along to a structured space—opportunities have to be created that meet the needs of young people, or not young people, if we

are talking about different groups. We have had to target people in the area who are not getting access to physical activity through schools and our links. We have had to look at activities in which we can bring them together in an environment and introduce them to physical activity.

The short answer is that the traditional sports model will cater for people who show an interest in sports, but when we are looking at the work to do in communities, there also needs to be recognition of how we engage people who are not engaged in sport or physical activities. That has to be factored into access and the programmes that we build, rather than there just being the traditional sports structures.

Because of the way we are structured, I do not have any example of the specific group that Colin Keir talked about. I would not say that it does not exist; it is simply not a group that we particularly cater for at the moment.

**David Smith:** It may come as a surprise to some people who are sitting round this table who have a keen interest in sport to hear that there are people out there who do not have an interest in getting involved in any sport, no matter what creative ideas, methods and initiatives we come up with. We have to accept that fact. However, that does not mean that we cannot try to be creative, to come up with initiatives or to reinvent the wheel if somebody did something five, 10 or 20 years ago that worked well. Can we not replicate that?

To answer Colin Keir's question, I will emphasise again something that I have already highlighted. In Drumchapel, we have a fantastic track record of having put on events over the lifespan of our community—Fiona Cardwell has already highlighted that that is 60 years. People can come along, try things and see whether they like them. If people like something and want to get involved at competitive level, they are directed towards a club.

The D60 event takes place in a big open field in Drumchapel. All the sports are represented, Glasgow Life is there, and representatives of all the different initiatives are there. If people want to play football at competitive level, they are directed towards the local football club. If they want to play netball, volleyball or hockey at competitive level, they are directed towards the appropriate club. The clubs all buy into the event, and they all want to participate.

If people want to take casual bookings, play for fun or get advice about when they can drop in and play a particular sport, they can be directed towards the relevant club. They can also be directed towards the facilities in our community. If someone wants to play casual tennis, they are

directed towards the local leisure centre. If someone wants to casually book another sport, they are directed towards any of the other facilities where it can take place.

**Colin Keir:** I am trying to get us to consider the case of the person who just decides to do something like—as in my case—walk five minutes up the road to a sport hub and jump in a swimming pool for half an hour. Let us say that he wants to do something like that—he wants to swim twice a week. He does not want to get involved; he has made up his mind that he wants to lose a bit of weight, and he just wants to go for a swim. He does not want to get directed to clubs, and he does not want to get patched into that system—he just wants to do it himself. That is an example.

If you walk up to my local facility, you cannot use the pool, despite the fact that it is empty. How can we change the pattern? I know that it is difficult when there are block bookings for clubs and various initiatives—which are all really welcome—and I am not saying that this is an easy ask, but what is being done to let people just get on with what they want to do?

I was speaking to a neighbour of mine, who is going through this situation. One of the things that puts him off is that he does not want to get involved—he just wants to go and do his own thing. It really should be me, I have to say.

**Fiona Cardwell:** The Drumchapel sport hub is not a facility-based model or a school-based model; it is an area-based model, where the clubs within the community come together.

To take Mr Keir's example and question, let us suppose that someone in Drumchapel wanted to go for a run in the gym or go for a swim in the swimming pool. The community sport hub does not have any ownership of the lets; individual clubs just book what they require. If someone walks up to the facility, there should be a timetable allowing people to swim at a public open time outwith the community sport hub, and the person would not be directed towards any particular club. They could just swim as an individual.

**The Convener:** Colin Keir has identified another area. We have been focusing on clubs and on activities that might develop following people's illness—perhaps a stroke or a heart attack. We tend to group people together, but life simply is not like that. People do pursue things individually, and the pay-and-play model is something that people can and do enjoy.

This takes us back to David Smith's point about assets and access. That is not just about cost barriers; there are a whole lot of issues that represent barriers that we might want to consider. However, we only have another seven minutes for this evidence session. Richard Lyle wishes to

come in again, and Nanette Milne has not yet asked a question. I will bring in Nanette, and we can have some quick responses. Richard Lyle will then finish up with a quick question and, again, I ask for quick responses.

**Nanette Milne:** This effectively follows on from Colin Keir's point. There is an issue around how inclusive community sports hubs are across the generations in the community and the way in which they involve grannies like me, mums, dads and kids. Is an effort being made to be really inclusive of all generations? I am thinking about how important it is to be active—and, ideally, to contribute to sport—throughout one's life. Do you have any thoughts or comments on that?

**The Convener:** Yes—what do your strategies tell us about that wider involvement?

**Andrew Smyth:** Our work in Armadale is based within a school site, but the sport hub is across the town. The officer working there at the moment supports the clubs and the facility at Armadale academy. He works closely with West Lothian Leisure, which has a leisure pool and fitness gym right in the centre of Armadale. The facilities of the local bowling club are supported, too.

The issue is about what sports provision there is across the town and the ways in which we can support those facilities. For example, the majority of the support that the bowling club requires involves the facilities. If the heater packs in, who does the club go to in the council for support to get it fixed?

We are working with the club to get its members to understand that, as the club has an ageing population, there would be benefits in linking up with schools. The club has a good volunteer base, because the majority of its members are retired and would have a bit of extra time on their hands to work in the schools. We are looking across the age spectrum.

We understand that club sport is not for everybody, but the majority of sport hubs are there to work with and develop clubs, as directed by sportscotland. All the stuff that we do around that is related to what we, as a local authority, want to achieve in addition to the sportscotland's aims.

**Graeme Clee:** Nanette Milne's point goes back to the point about clubs needing to understand their role in the community and not existing simply to serve one specific group of people. I do not have a specific example of a piece of work that has been done, but I assure the committee that, within the Chryston community sport hub, we are linking with the community forum, which has representation from the community council, uniformed organisations and senior citizen groups. We need to build an understanding within those clubs that they fit into a broader picture, and we

are looking at creating links between representatives from those groups to ensure that what is offered in the hub caters to the whole community.

**David Smith:** It takes a number of different factors to build a club and to get it to the level at which it can look at starting to create provision for different areas. We are quite fortunate at the club that I coach at that we are well developed and have a pretty resolute committee.

We have recently created an over-35s football team, and we are now looking at an age 50-plus team. However, the issue that we are currently encountering is that some of the other clubs locally are not at the stage at which they can cater for such things. We are coming up with all these great ideas to enhance, develop, grow, get better and increase participation—to do all the things that we all want to do—but when we go out and speak to people about it, the other football clubs and organisations in or outwith the area are not quite at that level. We stimulate an interest in our community and get people active, involved, enthused and ready to participate, and then they are thinking, "Who are we going to play against? Okay—we'll leave it for another day."

**Richard Lyle:** All the points that David Smith has made today are music to my ears. I was previously a councillor in North Lanarkshire, which has areas of deprivation. On the point about costs, I am sure that you will sit down with Fiona Cardwell and work it all out. I was on the council when new schools were built in North Lanarkshire. They had 3G pitches, but if you go there you find that the gates are shut.

I have a question on something that we have not covered—I want quick answers, guys. We are concerned about kids being obese and about diabetes. You guys are doing all that great work, at night and on the streets, and through football and so on, but how do we get parents to get their kids out of their bedrooms away from their iPads, computers and games consoles?

**Andrew Smyth:** That is a tough one. It is about culture building and trying to change the current culture. We need not only to get kids out of their bedrooms but to get people out of the house and enjoying the local space, not just at the sports hubs but in local parks. We need to get people more active. That activity could be cycling or walking—it could be anything. We need an overall culture change.

As I hope most of the others round the table will agree, one of the biggest challenges in sport is that we can enthuse one child as much as we want, but if they go home and their mum and dad say, "No, I'm not leaving the house on Wednesday—that's when 'Coronation Street' is

on", they will never get to the sports club. It is about changing the culture and helping families—mums and dads—to make those decisions with more information and to make better choices.

12:00

**The Convener:** I need to blow the final whistle. David Smith has about five seconds to answer the question.

**David Smith:** It takes time to build trust. How do we create opportunities to get parents involved? Can we reward clubs that participate actively in accreditation schemes? How do we reward clubs that become organised and are quality marked as a result of adhering to their national governing body's stringent standards, and which participate according to the local authority's standards? How do we get parents involved? Can we create an opportunity for them to do so? Is it just a matter of their child coming along and participating, or is there a way that we can hook parents in, too, and reward them?

It takes time to engage with people and create all those opportunities and make them sustainable—all the points that have been made today—but how do we do that? That is the pertinent question.

**The Convener:** I am sorry for cutting people off, but we have reached that point. We have had an interesting and wide-ranging discussion about the Commonwealth games and their legacy, and whether we should be measuring the inputs or the outputs. We have not even spoken about sport literacy or physical education in our schools.

The committee will gather all the information and discuss it. I hope that we can focus on a couple of areas on which we can, in the committee's last year in this parliamentary session, get some action. The subject is so broad, and the challenge for us is to focus on some of the areas that are most important to everyone here and to the wider communities that they represent.

I thank you all for your time this morning and for your written evidence. I am sure that the committee will be able to use some of that evidence in its further discussions and work programme.

## Petition

### Organ Donation (Opt-out System) (PE1453)

12:02

**The Convener:** We will have to push on now, instead of having the usual chat with witnesses after the meeting. If we can agree item 7 quickly, we might be able to speak to some of the witnesses.

Item 7 is the first consideration of our approach to petition PE1453, which has been referred to us by the Public Petitions Committee. The petition is from Caroline Wilson and calls on the Scottish Parliament to urge the Scottish Government to introduce an opt-out system of organ donation in Scotland to help to save more lives.

Members will have seen the paper, which recommends that we defer further consideration of the petition until the introduction of the proposed member's bill on the subject. I think that that is entirely sensible, but I need the committee's agreement to do that, in the full knowledge that we will be able to return to the petition at a point in the future.

**Rhoda Grant:** Do we know when that is likely to be?

**Eugene Windsor (Clerk):** We do not have a definite indication as yet, but the proposal is being progressed.

**Bob Doris:** As Rhoda Grant's question suggested, it would be helpful to give the petitioner some details of the potential timescale. Rather than sisting the petition indefinitely, can we put down a timescale for when the petition will come back to the committee for us to decide whether we will take it forward, or should we just say that we will wait until we get more information?

**The Convener:** We could say that we will wait until we have more information, or we could say that there will be further consideration in three months if you think that such a condition would be valuable.

**Bob Doris:** That would mean that the process would not be open-ended, and we could update the petitioner on that basis.

**The Convener:** Are we deferring the petition and asking for that additional information? If that information gives us cause for thought, we could consider the petition again.

**Richard Lyle:** I agree with you, convener. We should remember that there was a massive campaign by the *Evening Times*, to which most of us signed up at the time. We should certainly



ensure that the issue is kept at the forefront of the agenda.

**The Convener:** Yes—I think that we all agree on that. Do members agree that we should defer the petition and request some information on the timeline for the member's bill?

**Members** *indicated agreement.*

**The Convener:** I thank you all for your attendance, participation and patience this morning.

*Meeting closed at 12:05.*



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