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Official Report

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Thursday 4 March 2010

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Scottish Parliament

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[The Presiding Officer opened the meeting at 09:15]

Factoring Services

The Presiding Officer (Alex Fergusson):

Good morning. The first item of business is a debate on motion S3M-5872, in the name of Patricia Ferguson, on factoring services. We have a little flexibility, and I can give all members an extra minute of speaking time at this stage.

I call Patricia Ferguson to speak to and move the motion. You have up to 14 minutes.

09:15

Patricia Ferguson (Glasgow Maryhill) (Lab):

It is some time since I had quite so long to speak. I will try to make the most of it.

I am grateful to have this opportunity to discuss with colleagues a subject that troubles many of our constituents across the length and breadth of Scotland. I say troubles but, for some, the unsatisfactory management of their property is more than just troublesome. At best, it can cause great concern and, at worst, it can cause real financial hardship and distress.

The purpose of factoring is to make life simpler for the individual owner and to make it easier for them to co-operate with their neighbours to have common repairs and maintenance carried out. The irony is that, for many, the reality is very different. I am sure that colleagues who take part in the debate this morning will tell the Parliament of the experiences of their constituents.

It is clear to me that the Scottish Government's action in this area is well intentioned, but I hope that the debate will explain to the minister why legislation is necessary and convince him of the merits of legislating. I will set out what the legislation that I propose would achieve. Before I do so, however, I will talk about a few constituency cases that have passed across my desk. I have changed the names of the individuals, because the circumstances demand that I do so.

Mr and Mrs A are being sued by their factor for almost £3,000. They have been sued several times over the last few years by the company, each time for several hundred pounds that is, ostensibly, due for administration charges, compound interest and legal fees. Their factors are, in my view, nothing more than debt farmers who grow vulnerable customer's debts on a weekly basis by applying excessive administration

charges, compound interest and expenses. In this case, decrees prevent the family from opening a bank account. Their elderly and frail parents were sued by the same company and were made bankrupt. The family had to find £5,000 to pay the factor, even though the bulk of the sums that were due were for not the original debt but for administration charges, compound interest and legal fees.

Mr and Mrs B have the same factor. He has registered a notice of potential liability against them that prevents them from making a mortgage-to-rent application or from selling their property, because any purchaser would have to pay off the full debt. Mrs B owed the firm £4,500 in 2008 and, in spite of the fact that the factor no longer manages their property, it is now pursuing Mrs B for £12,000. Mr and Mrs B have tried hard to speak to their factor, but he simply will not listen. Their next-door neighbour is £2,500 in debt to the same factor, for an original bill of £600.

I will talk about the practice of this particular factor in detail. The company sends out reminder letters about unpaid bills every week at a cost of £17.62, which means that debts grow by £70.48 every four weeks. The firm calls that sum "administration charges" and applies 33 per cent compound interest on it. The arrangement means that, over the space of a year, a £10 debt could grow, in theory, to as much as £1,200, with 52 letters at £17.62 each, plus interest of around £300. That is a mark-up of 12,000 per cent on the original sum owed. The factor can then sue the owner for bankruptcy.

The experiences of these people are not unique, and, while their situations might sound extreme, the fact that they can exist in Scotland today surely demands our attention. In fact, it demands that we use the powers at our disposal to legislate.

In 2007, my colleague, the then Labour MSP for Glasgow Govan, Gordon Jackson, indicated his intention to introduce legislation that would regulate the factoring industry. Unfortunately, Gordon was not returned to the Parliament and could not pursue the idea. Having had experience of cases in my constituency, I was pleased to take over responsibility for the work. The consultation that I undertook showed the scale of the problem, with 87 per cent of those who responded indicating support for legislation. That was borne out by a market study that was undertaken by the Office of Fair Trading, which found that almost one third of consumers thought their factor provided a poor service. More than half of all consumers had some complaint with that service and 67 per cent of those who had lodged a formal complaint said that they did not believe that it had been adequately resolved. Although my consultation and the OFT's study found similar problems, our

conclusions were different. The OFT believes that a voluntary scheme is required, while I am convinced that we need legislation to underpin the changes that must now be made. As we know, the Scottish Government has so far indicated that it also favours a voluntary scheme. It is my sincere hope that today's debate will persuade the minister that legislation is needed and will demonstrate that this Parliament backs that approach.

My proposed bill will require all property managers to be accredited and to meet some minimum operating standards. Many of the problems that are faced by their clients are about the basics, such as the availability of accounts and difficulties with communication and receiving quotes for work. Having a simple minimum standard would iron out many issues before they develop into problems. Having passed such a test, the property manager would be required to register with a body authorised by the Scottish ministers that would also supervise the accreditation system. With regard to deciding which body should carry out that particular function, I suggest that Consumer Focus and the Property Managers Association Scotland should be statutory consultees.

When disputes occur, there is little that an aggrieved owner can do, other than go to court to defend or raise a claim. Going to court can be very difficult for home owners, because many of the cases are under £3,000 in value, and no civil legal aid is available for home owners. The legal and factual complexity of disputes is often beyond the abilities of lay-representatives, and factors will often engage solicitors, making it a very one-sided contest. That is why my bill also proposes accessible and legally binding dispute resolution that will not require legal representation and will avoid the need to go to court and be exposed to court charges and legal expense. Such a system is already in place under the private rented housing committee for private sector tenants who have repair disputes with their landlords.

I believe that that raft of measures would make a huge difference to home owners up and down the country.

One of the problems that was identified by the ministerial working group was the financing of its proposals for voluntary accreditation. The group has recognised that a voluntary scheme is not a popular concept and that, if accreditation is to be financed by those seeking to be accredited, it might be difficult to accrue enough funding to enable it to work. A statutory scheme would not have that problem, as a registration fee would have to be paid by all factors. I would, however, want to ensure that that cost was not simply

passed on to the customer through higher management fees.

There is one other group that I believe that this bill will help. I have outlined the bad practice of one particular factor, and we will no doubt hear of others, but there are also good factors who take their responsibilities seriously. They, too, encounter problems while carrying out their job.

For many people, buying a home or a flat is a daunting experience, as there are many things to consider and a great deal of money to be spent. Money goes on the purchase, on legal and removal fees and on buying new furniture. Amid the sheer excitement of having one's own home, particularly if it is one's first home, arrangements must be made with the companies that supply the utilities to the property, friends must be told of one's new address and so on. The cost of factoring is sometimes overlooked in all of that, and can come as a bit of a shock.

I hope that, by debating the issue, we are raising its profile and reminding solicitors and developers that they, too, have a role in advising clients of the extent of the liability that they will incur.

Mary Scanlon (Highlands and Islands) (Con):

I am listening carefully to the member's speech and I support her approach. She talks about property development and property maintenance, but, living in Inverness, my main concern is the maintenance of grounds and open spaces. Will the member confirm that, when she talks about maintenance, she includes the maintenance of land and open spaces?

Patricia Ferguson: Yes. If a property management company operates in that way, the proposed legislation would cover that, too.

In these days of buy to let, it can be difficult to persuade an absent owner—even if they can be found—of the need for communal repairs or maintenance. In Glasgow, relatively new properties have reached the point at which they have no factor, as companies understandably had to call it quits when the outstanding fees and communal utilities bills had gone unpaid for so long that the buildings were on the brink of having no communal lighting, lifts or pumped water supply. That situation was not of the factors' making—indeed, they lost out on thousands of pounds in income and debt. I therefore firmly believe that property managers would benefit from the proposed legislation, too.

I know from talking to property factors that many of them recognise that their industry is not highly regarded, often because of the activities of a few unscrupulous characters. They, too, want to restore their industry's reputation and they would welcome the opportunity that a bill would afford.

As I draw to a close, I will thank several people. I realise that it is Oscar season, but I will try to cut the list down to just a few. I thank the non-executive bills unit for its advice and, I hope, for its on-going support. I also thank Mike Dailly of the Govan Law Centre for his unstinting support and for his hard work in the courts to support people who are being exploited by unscrupulous property managers. I also thank my constituency office colleagues Susan Smith and Isobel Tait, and particularly Chris Kelly, who has been so helpful to me in the work. My thanks also go to the Evening Times and The Herald, which heard of the problems that their readers were experiencing and, in true investigative style, decided not just to highlight the problem, but to lobby for change.

We owe it to the factors who want change to support them with legislation but, more important, we owe it to Mr and Mrs A and Mr and Mrs B and all the others whom we will no doubt hear about to change the system and to enshrine that change in statute. There is clear support for such reform across the length and breadth of Scotland.

I move,

That the Parliament notes that the Office of Fair Trading market study into the property management market found that the market is not working well for consumers in Scotland; welcomes the recent cross-party support for proposals to require property factors to register and to make provision for an accessible form of dispute resolution between homeowners and property factors, and further welcomes this positive progress toward the introduction of legislation to ensure better accountability of property managers for their standards and the services that they provide.

09:28

The Minister for Housing and Communities (Alex Neil): At the start of a speech in a members' business debate, we congratulate the member on securing the debate. It is unusual to do that in a party-political debate, but I congratulate Tricia Ferguson on securing the debate, because the subject is worthy of the time that it has been allocated and the seriousness with which I think all parties intend to address the situation.

The Scottish Government acknowledges the cross-party support for action. We all accept that the status quo is not an option. I support the outcomes that Tricia Ferguson is trying to achieve through her proposed member's bill. I have already indicated to the member that the Government will approach her bill empathetically. When we have the details, we will consider our position on the bill, but our approach will be from the standpoint of trying to do everything that we can to address the problems, which we all acknowledge. Passage of the proposed bill would of course include consideration of how the Parliament might legislate to provide the

appropriate authorities with effective powers to make a real difference on enforcement. I look forward to seeing the final details of the bill. I have a meeting soon with Tricia Ferguson to discuss how we can proceed.

David McLetchie (Edinburgh Pentlands) (Con): Can we take it from the minister's remarks on Patricia Ferguson's proposed bill that the Government's official position is no longer to support an accreditation scheme, which is what the Government said that it supported in response to the OFT report as recently as May 2009? Has the Government's position changed so that it now supports a statutory measure, rather than a voluntary industry-led initiative?

Alex Neil: I will spell out the Government's position on exactly that point if the member will give me an opportunity to do so.

I emphasise how important the issue is to the Scottish Government. Improving the condition of the common parts of housing in the private sector is one of our key policy priorities. More than one third of Scotland's population lives in a flat, maisonette or apartment, and properties of that type have been identified as being more likely to suffer from a lack of maintenance. As a result, arrangements for the management of communal repairs are critical to the condition of a large section of our private housing stock.

Property managers have a crucial role in maintaining and improving the stock condition. At the same time, we want to support property owners to take on more responsibility for the condition of their homes. It is important that owners are aware of their responsibilities, that they understand the various services that are available, and that they enjoy access to quality and value-for-money property management services. Ultimately, the customer must have trust in the services that their property manager provides.

As Tricia Ferguson articulately outlined, the quality of service that some residential property managers provide is a matter of concern. It is a concern to the Government and the Parliament, and it was a concern to previous Administrations. The housing improvement task force recommended in its final report in 2003 that a national voluntary accreditation scheme for property managers be established. I think that Margaret Curran was the minister at the time. In July 2008, we announced plans to work with the property management industry to support the establishment of a national accreditation scheme. However, at that time, the Office of Fair Trading, as Tricia Ferguson said, was about to conduct a study to establish whether the market for residential property management services was working effectively in Scotland. We therefore

decided to await publication of the OFT report before entering into discussions with stakeholders.

In February 2009, the OFT published the report on its market study, which concluded that some form of self-regulation was desirable, backed up with better information for consumers to improve the efficiency of the market and the quality of services. The OFT recommended that the Scottish Government should take the lead in ensuring early implementation of a self-regulatory scheme and that it should review progress of the scheme. It also recommended that, if a voluntary scheme did not prove to be effective, the Scottish Government should take steps to introduce a scheme on a statutory basis.

As Mr McLetchie pointed out, we accepted those recommendations. To date, they represent our main work in the area. We have been developing a national voluntary accreditation scheme with the industry and other stakeholders. The aim is to help property management businesses build a better reputation and gain the trust of consumers, and to ensure that the industry takes ownership of finding the solution to its image problem. That approach has the potential to raise standards above the legal minimum that might be afforded by statutory regulation approaches to control the market.

Let me be absolutely clear that, although the voluntary scheme is important, we are open to the possibility of the need for legislation. I have already indicated that we are prepared to sit down with Tricia Ferguson and consider the detail of her proposed bill. Particularly in light of the work that the Public Petitions Committee has done in relation to Govanhill, we are certainly of a mind to consider whether legislation is needed, whether or not the voluntary scheme is successful.

The issue is that the roughly one third of property managers to whom Patricia Ferguson referred are giving the other two thirds a bad name. It may be that those property managers who would participate in a voluntary scheme are not from the third who make up the problem. We have an open mind on the issue.

Patricia Ferguson: I have listened carefully to the minister's comments and would welcome the Government moving towards the idea of legislating. Does the minister accept that the issue is not the property managers' image but their practice and the problems and difficulties that the people who contract them to work on their behalf experience?

Alex Neil: That is precisely why I am making my remarks today.

Statutory regulation in itself may not be a guarantee of achieving outcomes and carries some risks. If done wrongly, it could create

barriers to entry to the market that might stifle competition and reduce choice for the consumer; we want to avoid that. We also want to ensure that there is flexibility, so that we can respond to changes in the market over time. We must ensure that whatever legislation is framed does not have unintended consequences.

Robert Brown (Glasgow) (LD): Many of us have concerns about the emphasis on competition as a high-level objective. Competition is important, but does the minister accept that, given the number of operators, the real issue is raising standards? We do not want people with low standards to come in.

Alex Neil: I agree with Robert Brown, but in some areas there is undoubtedly a local monopoly, which is driving down rather than driving up standards. As with every proposed legislative measure, we must consider the possibility that it may have unintended consequences. However, I emphasise that we are approaching the matter with an open mind and in the knowledge that we need to deal with the Govanhill of this world. I have made that absolutely clear.

Ken Macintosh (Eastwood) (Lab): Is the minister aware of the experience of older home owners in retirement complexes, who are particularly vulnerable to exploitation or bullying by management companies? That problem is rife throughout the sector. Older people do not want to make a fuss—they live in such properties because they want a quiet life—and they are vulnerable. Some form of dispute resolution mechanism with property management companies is needed. What is the Government's view on the issue?

Alex Neil: It happens that I am dealing with a constituency case in Bothwell on that issue, so I am very aware of it. One of the residents concerned is a former Secretary of State for Scotland, so I am keen to ensure that I deal with the matter as effectively as possible.

Self-regulation is being pursued in the form of the development of an industry-led voluntary accreditation scheme. At this stage, legislation and voluntary accreditation are not mutually exclusive, because legislating inevitably takes time.

There are issues relating to the borderline between devolved and reserved responsibilities. The regulation of professions is a reserved matter, so we need to talk to our colleagues south of the border about the powers of the Parliament, to establish what legislation we can legitimately pass under the current constitutional arrangement.

Johann Lamont (Glasgow Pollok) (Lab): Given that you are aware of the issue, have you spoken to your colleagues at Westminster about how matters can be taken forward?

Alex Neil: We are in constant touch with people south of the border—especially John Healey—on a range of issues. We have also had on-going discussions with the OFT.

This started as a consensual debate; I hope that it remains one, as I have made it clear that the Government is determined to work with Patricia Ferguson on the detail of her bill. We do not yet have that detail, and I cannot give an absolute commitment to support something when I do not know the detail of it. I have given an undertaking in principle to work with Patricia Ferguson and have given a clear steer this morning that, although we will progress the voluntary accreditation scheme, the Government has an open mind on the need for legislation. When we look at the situation in areas such as Govanhill and the work that Mike Dailly, the Public Petitions Committee and many others have done, we recognise the challenge and we are facing up to it. With all due respect, when Johann Lamont was a minister, nothing was done about it.

We intend to move ahead on the basis of trying to reach a consensus in the chamber. We will consider legislating, if necessary, but in the meantime we will continue to progress the voluntary scheme and try to make it as effective as possible. Any decision on whether we will legislate or support the detail of Patricia Ferguson's bill will be determined by the persuasiveness of the arguments, by the evidence and by the need to ensure that any legislation that is proposed will deal effectively with the problem, without having unintended consequences.

I move amendment S3M-5872.1, to insert at end:

“, and seeks to ensure that the appropriate authorities are given the powers necessary for effective enforcement of any new legislation.”

The Presiding Officer: I remind members that they should speak through the chair and not directly to each other. There seems to be a growing tendency to do that in the debate.

09:41

Mary Scanlon (Highlands and Islands) (Con): I thank Patricia Ferguson for giving us the opportunity to debate this issue, given that it appears that little action has been taken since Trish Godman's members' business debate in September 2007, when the minister responding was Fergus Ewing. Today we have a change of portfolio and a change of face; hopefully, much more action will be taken.

The Scottish Conservatives agree that factoring is a major problem for householders. There is widespread dissatisfaction, and many individuals and residents associations are unable to resolve

the issues. Companies such as Greenbelt Group have got away with their practices for so long because no one has challenged their position and/or the conditions and burdens that developers impose on homes and properties. Although trading standards has been sympathetic, it appears totally powerless to bring pressure to bear on factors to meet their obligations of maintenance and land management.

I sent a copy of my speech to one of the main campaigners on the issue in Scotland, who will, I am sure, be known to members. Whatever we do today will not go far enough to achieve what many people seek but, out of courtesy, I will read out a couple of lines from an e-mail that I received from him. He states:

“Scottish and UK Government have done everything possible to avoid bringing developers and maintenance companies within the framework of existing consumer protection legislation whilst promoting the benefit of the Greenbelt Group Management scheme to Local Authority Planning officials.”

He continues:

“They operate in a completely uncontrolled market with impunity and laugh at any attempt by hard pressed consumers to attempt to obtain a contracted level of service!”

Many home owners in Scotland have a monopoly contract that they contend is illegal under the Title Conditions (Scotland) Act 2003. The issue is being pursued in Perth sheriff court, with a ruling against Greenbelt Group due on 4 May. Hopefully, that will set a benchmark for other, similar companies that are operating in Scotland. People seem to have an unfair contract, with no redress, and are faced with constant threats and bullying from factoring and management companies. That cannot be acceptable.

The motion notes

“that the Office of Fair Trading market study into the property management market found that the market is not working well for consumers”.

I make it clear to Patricia Ferguson that all my experience—both personal and with constituents—is with land management and maintenance issues.

Patricia Ferguson: I hope that my intervention is on cue; it is intended to be helpful to Ms Scanlon. I said that my bill will address the issue of land management. However, when Greenbelt Group is involved, the situation is different, because it owns the land. My bill will not address that issue, because we cannot usefully help in such situations.

Mary Scanlon: One problem that we face is that the situation becomes much more difficult where property factoring companies own the land. Whatever provisions the bill contains, I hope that

the ministerial team and the bill team will address that serious issue.

We very much favour an accreditation scheme, rather than a register and we would prefer a voluntary approach, at least in the first instance, prior to considering legislation. The establishment of a voluntary accreditation scheme is supported by Consumer Focus Scotland, which I understand is represented on the Scottish Government's working group. I appreciate that many residents associations believe that a voluntary approach will not work—and I do not blame them given their experiences over the years—but, nonetheless, we feel that a voluntary approach ought to be tried. An accreditation scheme would, I hope, establish good practice standards and provide an advantage to those firms that can prove that they can meet those standards. We are aware that the consumer will ultimately foot the bill for either an accreditation scheme, a register or any further legislation, so we owe it to householders to act in their best financial interests as well as the other interests that we are considering today.

Improved information and advice to consumers is another important issue on which we need a commitment from the Government. When I see properties for sale in the estate in which I live, I see no mention anywhere on the schedule that the property owner will be required to pay up to £200 a year in ground-maintenance charges. That cannot be right. When I bought my property 15 years ago—a detached house in Inverness—the deed of conditions and the title deed made no mention of the need to pay the annual charge. That led me to establish a residents association and to set up Inverness south community council. The issue pitched neighbour against neighbour, because those who paid the charge found that they were paying for all the non-payers. One can imagine how heated some discussions became when pensioners on a fixed income and people on low incomes found themselves paying for the charges of others. At one point, I received a sheriff's letter demanding that I pay the charge despite the fact that I had not even received a bill. Many residents worried about their personal credit rating. However, we now get an annual statement that tells us who pays and who does not—it seems that we are into naming and shaming. Therefore, although I welcome the “Consumer Code for Home Builders” that Homes for Scotland has promoted, I can confirm that house purchasers are still not being given enough of the pre-purchase information to which the code refers, such as

“a description of any management services and organisations to which the Home Buyer will be committed and an estimate of their cost.”

We may now have a consumer code for developers, but we do not have a consumer code that is beneficial to purchasers.

All members should take a look at the websites of the campaign groups Greenbelt Group action and Peverel action, which are very interesting. I quote one example:

“My father lives in a complex (7 flats) in Kilmarnock ... For seven months I have been trying to get an explanation for an electricity rise from approx. £200 to £1800 for lighting and heating”.

Peverel also traps home owners into monopoly insurance for homes for elderly people. Another message on the website was from a home owner in Kemnay in Aberdeenshire who stated that the grass in their estate had been cut only once in 20 years. Where such land and properties are not maintained, that can undoubtedly lead to a fall in the value of the properties. Indeed, I understand that Aberdeenshire Council has written to all major developers in the region to ask them to consider not transferring ownership or management of open space to Greenbelt.

As Patricia Ferguson said, it seems to be difficult to switch factor when the land has been sold to a company such as Greenbelt. That company has not covered itself in glory over this sorry saga, but it is not the only company that has failed to fulfil its obligations to home owners.

I think that I know the developer to which Kenneth Macintosh referred, but I will not mention its name as I have said enough. I am aware that new developments for elderly people have caused serious anxiety and worry for people who are looking for a stress-free existence at the end of their lives. Residents can find themselves facing ever higher bills for fewer services with no consultation, reason or redress.

Finally—I am coming to a close, Presiding Officer—I thank all those who have campaigned on the issue for taking the time to bring information to the attention of members of the Parliament. The issue is complex, but I firmly believe that the Government must do more. In the previous debate in September 2007, I said that we must

“protect consumers from such unfair contracts of sale, enable consumers to change to an alternative provider, and force maintenance providers to comply with the terms and conditions of their agreements with individual property owners”

and ensure that

“the contracted company must be fit for purpose or competent to undertake its obligations.”—[*Official Report*, 6 September 2007; c 1571.]

Two and a half years later, we have still not achieved those aims, but I hope that today's debate on Patricia Ferguson's motion will help to move us in that direction.

I move amendment S3M-5872.3, to leave out from “for proposals” to end and insert:

"to debate proposals to require property factors to register and to make provision for an accessible form of dispute resolution between homeowners and property factors, and considers that an accreditation scheme should be given time to work before further legislation is considered."

09:50

Robert Brown (Glasgow) (LD): I begin with the point about the complexity of the issue that Mary Scanlon made towards the end of her speech. I agree that today's debate is on a very complex area that has many interlinked issues, as we will see as the debate develops. I pay significant tribute to Patricia Ferguson, whose work on her member's bill proposal has helped us very much to focus the issue by bringing it before the Parliament. I also welcome the minister's desire to move forward on a non-partisan, cross-party basis, which I think is entirely right.

The financial crisis has brought considerable change to some aspects of the housing market. I will say a word later about problems with the buy-to-rent market, which are causing considerable difficulties in many parts of the wider Glasgow area that I represent. However, the problem with factors is of long standing. I can remember significant public concern about the quality of factoring when I first joined Glasgow District Council in 1977, which is a long time ago.

Like many MSPs, I have had a series of casework issues relating to disputes over the charges levied by factors, the quality of the service that they provide, or both. Some problems arose because factors did not have enough powers to act, either because of the need for agreement among the owners or because of the need for up-front funding for larger repairs.

Legislative change since 1999 has brought some improvements, but factoring remains a complex and difficult area and on-going problems remain. Other complaints arise because factors assume too much power and provide too little transparency and because people have no satisfactory mediation scheme. Common complaints relate to hidden commissions, unspecified charges, lack of competitive quotes for work, the extortionate rates of interest that we heard about earlier, administration charges, overcharging and errors in bills. I think that many of those complaints would subside if the bills were more comprehensive and informative in the first place.

I also point out—

The Presiding Officer: I am sorry, but Mr Brown's microphone seems to have stopped working. *[Interruption.]* It now seems to be working again.

Robert Brown: I also point out that the problems arise not just in the private sector, as there have also been issues with the Glasgow Housing Association's factoring services across Glasgow.

The word "factor", if I recall correctly, comes from a Latin root and means literally "doer". One difficulty is that some factors are perceived to be non-doers of any significant services, but it should be remembered that their status is essentially that of an agent for home owners whom they can, subject to the provisions in their title deeds, get rid of or change.

It is worth defining the things that people want from their relationship with their factors: block insurance that is provided at a competitive price; the carrying out of common repairs swiftly, efficiently and at a competitive price; the proper looking after of common parts, such as grassed areas, lifts, agreed passageways and closes; a good-quality service that provides a clear statement of the factor's obligations and charges; and an economic method of resolving disputes. Many householders do not get those things from their factor, so the issue is the framework that should be put in place to ensure that householders get a fair deal.

Patricia Ferguson's member's bill proposal would put in place a requirement for registration of factors, a fit-and-proper person test, minimum standards and, possibly, an accessible form of dispute resolution. Those are some of the necessary pieces of the jigsaw. For the moment, I point out only that there is a debate to be had over whether such functions can be given to the private rented housing committee. I think that there is some merit in the argument that the committee would not have the proper skills, but, equally, it might readily acquire those skills.

A question mark has been placed over whether the arrangements should be voluntary or compulsory. However, we are not dealing with a new issue in relation to which the industry has not had a long time to get its act in order. We are dealing not just with regulating well-intentioned factors but, frankly, with removing from the market some bad, rogue, cowboy factors who cause many home owners considerable difficulty.

The Liberal Democrat amendment calls on the Scottish Government to look further at introducing a mandatory accreditation scheme for factors. That is a key issue.

Last May, after a pretty long delay—Alex Neil has explained the background to that—the Government decided to support a voluntary accreditation scheme.

I am not clear how far that has progressed, but I share the view of the Office of Fair Trading that

people have no effective means of redress if things go wrong. At the very least, a statutory accreditation scheme should be ready to go if an effective voluntary scheme is not put in place quickly. I accept that the arguments can get a bit technical, but at the end of the day an accreditation scheme is about standards and about ensuring that owners routinely get a proper service from their factor and easy redress if they do not. It is proper that we should register factors, but that must be accompanied by effective, industry-wide arrangements to define and raise standards. I hope that the work that has been done in the background thus far lays the basis for that, whether the scheme is voluntary or compulsory.

Mary Mulligan (Linlithgow) (Lab): Will you please clarify—

The Presiding Officer: Please speak through the chair, Ms Mulligan.

Mary Mulligan: I am sorry, Presiding Officer.

Will the member clarify the reference in his amendment to “voluntary sector property managers”?

Robert Brown: I had in mind the Glasgow Housing Association, although there are significant issues with other housing associations. We could end up with a realm of double regulation. That needs to be avoided. There is an issue there; the member is right to raise it. We should not understate the level of dissatisfaction with the Glasgow Housing Association, which goes right back to factoring arrangements under Glasgow City Council.

I support the statement that Alex Neil made last May when he said:

“there will be no hiding place for cowboy property managers”.

However, we are nearly a year on from that statement, and they still have plenty of hiding places.

At the outset, I touched on the issue of buy to rent, which is an increasingly common phenomenon, particularly during the economic downturn. Many buy-to-rent flats are put into the hands of letting and management agents that also act as factors, or in a way that is similar to factoring. The quality of many letting and management agents leaves a good bit to be desired; their management skills are often well below par. The consequence of that and of uncaring landlords and tenants who do not live up to their responsibilities can be severe decline in the quality of an area. The minister mentioned Govanhill, but such decline is a feature of some new-build flats in Rutherglen and Cambuslang. It is also a growing problem in the new Gorbals

development at Crown Street and a challenge in Croftfoot, as some members who represent Glasgow constituencies know. I am not sure that the issue of substandard letting and management agents can be tackled in the context of factoring, but it raises many of the same difficulties. The problem will undoubtedly get worse.

There is a need for a comprehensive review of the interlocked issues that affect residents in multi-ownership buildings, whether traditional tenements or new-build blocks. The issues include residents who do not look after their properties and annoy their neighbours, inadequate factoring and maintenance arrangements, absentee or incompetent landlords, and bad management agents.

As we have said many times in the chamber, a house is not just bricks and mortar; it is a home and the centre of family life. The arrangements that surround it need to be sound, but, in many respects, they are not. By giving us a chance to highlight the issues, the debate is useful.

I move amendment S3M-5872.2, to insert at end:

“, and calls on the Scottish Government to give consideration to the introduction of a mandatory accreditation scheme to cover private, public and voluntary sector property managers.”

09:58

Pauline McNeill (Glasgow Kelvin) (Lab): I whole-heartedly welcome the debate and fully support the motion in Patricia Ferguson's name. By the end of the debate, I hope that the minister will be persuaded that legislation is a must. If we do not proceed on the principle that a statutory framework—a legal framework—is the only way forward, the debate will not continue to be consensual. The Scottish Government saying that it will support legislation is not enough. Indeed, a statutory scheme should not put off good factors from entering the market. If they are good operators, they will not be put off. I agree with the minister that we are talking about the art of framing legislation that is practical and does what we want it to do. That is where we should be, and very soon. Things are moving fast in this field. There are too many examples of people being exploited. We must assert the authority of the Scottish Parliament and set the terms that will enable us to act in this session.

Those who live in shared properties or tenements or on estates where there are common grounds need to agree on how to take decisions about the common parts of those properties. It is pretty hard to achieve such agreement without involving property management of some kind. For the vast majority of people in such properties, a

good factoring system is a necessity. I believe that there is an urgent need for reform. Some owners undertake factoring themselves, but in most cases, properties are factored by a company. Patricia Ferguson is absolutely right to say that there are good factors operating in Scotland, but some have poor operations and others could provide better services—frankly, they just need to pull their socks up. Mary Scanlon highlighted some notable examples of bad factors—companies whose practices border on the criminal, in that they exploit and extort money from vulnerable people.

Factoring is not an easy line of business. Who would be a factor? For example, there is the difficulty of getting owners to pay their bills on time. However, there are too many examples of factors not being transparent about their decision making in arriving at the repair bills that they issue. Many have exploited the lack of regulation. Indeed, some have made a small fortune from doing that.

I commend Patricia Ferguson for the work that she is doing. I hope that all of us will build on it. I will continue to campaign hard for the Government to show that it supports fully the introduction of legislation in this parliamentary session. I do not think that a voluntary code will do. The right to a fair complaints mechanism, the right to an adequate explanation of unfair charges and the right to protection from factors who overcharge are basic and fundamental. Those are the basic requirements.

The OFT was wrong to reach the conclusions that it reached, but the time is right to move on from that. We have to renew the faith of property owners who have had a bad experience of the system. If someone has a choice of property, such experiences will put them off buying a tenement property, particularly if they view the system as overly cumbersome. Good factoring is important for the upkeep of tenement properties. If owners and factors become frustrated with a system that they think is unworkable, people and the housing system will suffer. If too few factors act when they should, buildings will become neglected.

Seventy per cent of constituents in my Glasgow Kelvin constituency live in tenement properties, and a high proportion of them have factors because they live in buildings that have common parts that need to be maintained. As Patricia Ferguson pointed out, the responsibilities and costs that go with looking after those common parts are very much the hidden aspect of buying a property. The purchaser will be shocked to find out the huge additional costs of living in their property if those costs are not explained to them by their lawyer.

Someone who lives in a top-floor flat with a leaky roof, as I have done, will care about the state of the roof, but they have to accept that a neighbour on the ground floor may not be so interested in the situation—the water is not literally falling on their neighbour's head. We need to have a system that is fair to both parties. Factors are crucial in making people live up to their responsibilities. It is important to note that.

We have made a lot of progress in the Parliament in the area of the private housing sector, with the Abolition of Feudal Tenure etc (Scotland) Act 2000—can members remember that?—and the Tenements (Scotland) Act 2004. Those pieces of legislation are important, but they are not enough.

Like other members, I know of many cases, and councillors who knew that the debate was taking place have written to me to point out more. For example, factors are charging £30 for an ordinary letter that tells someone that they are a few days late in paying a bill. Where do factors get the powers that enable them to do that? The answer is that, in the absence of a statutory framework, factors can do what they like. I hope that the minister will take on board the point that the absence of a statutory framework is allowing a system in which factors can charge what they want. Factoring is an unregulated commercial practice with few obvious standards. The absence of a statutory framework means that there is nothing in the system for owners and good factors.

Robert Brown mentioned absentee landlords, who are not easy for either factors or owners to deal with. In Garnethill in my constituency, absentee landlords outnumber those who live in the area. Tenants continually lose out because of that, as they do not get improvements to their properties. Absentee landlords do not want to spend money on those properties, because they do not live in them.

There are further issues around the GHA, which is a factor and a housing association. Because of the bizarre rules, many owners in my constituency who do not live in a block where tenants live have not benefited from regeneration, whereas owners who live in a block where there are tenants get the benefit of regeneration. There are many anomalies in the system that are worthy of discussion, although they do not relate to Patricia Ferguson's member's bill proposal.

I fully support the motion, and I hope that the Government will act.

10:05

Bob Doris (Glasgow) (SNP): I am pleased to speak in this debate on factoring services. As someone who has signed up to Patricia

Ferguson's proposal to require property factors to register with an appropriate body and to develop an effective dispute resolution scheme for home owners and property factors, I believe that it is important to debate and consider these matters. I am sure that Patricia Ferguson will agree, however, that it is impossible for members to give a blank cheque to any future factoring bill, in particular because the precise details of the bill remain to be published and robust parliamentary scrutiny must be undertaken before the Parliament makes any final decisions. I have spoken to Patricia Ferguson about the matter and, on a one-to-one basis, I have given my support for the bill proposal.

Patricia Ferguson and I have heard similar complaints from constituents in north Glasgow about factoring services. We perhaps even share some of those constituents. Many constituents seek the maximum representation when dealing with their factors and the problems that arise; in itself, that provides a significant indication that there is a problem with poor-quality factoring. Constituents often feel helpless in their dealings with factors.

I have direct experience of just how unclear the factoring system can be. I stay in a tenement property in Maryhill. If one of my neighbours highlights to the factor that there is an issue with the lock on the secure entry door at the front of the close, I will find out about it during the following billing period, when I will have the privilege of receiving a bill for it. However, I am likely to be unaware of whether the door was given a cursory glance by a handyman or whether a specialist attended to the fixing of said front door. I will be well aware of the bill for the pleasure of having someone come out to have a look at it, although I will not know any details of what has been done. Similar situations often arise when light bulbs need to be replaced in the common close, or when something in the back court needs to be attended to—or when a number of other apparently minor matters arise in or around properties.

There is a feeling that best value is not always a consideration for factors. The more a customer is billed, the greater the management fee that is applied, so many people feel that there might be a disincentive to seek best value.

I should be clear that most factors seek best value for customers, are not cowboys and do not exploit. However, perception can be everything, and a move towards regulation could provide reassurance for householders and defend the reputation of good, decent factors. Good factors have nothing to fear from statutory regulation, and everything to gain. Their reputations will be enhanced. Regulation will be an incentive to factors to make their billing systems as

transparent as possible and to achieve best value for the customer. Regulation could chase the cowboy factors out of town.

Much of my constituency casework involves disputes between owner-occupiers and factors, many of whom are social landlords. In many cases, that means the Glasgow Housing Association. I do not intend to use my speech just to hammer the Glasgow Housing Association as I might have done in the past. Indeed, the association is improving, and the Minister for Housing and Communities, Alex Neil, and the new chief executive of the GHA, Martin Armstrong, should take some credit for that.

Although the GHA is improving, it started from a dreadfully low and poor base. I will give two examples of the GHA's work as a factor. Owners who dispute bills for major works find it virtually impossible to get a full breakdown of how bills were arrived at by the GHA or a specific scheme of works for their own properties, with appropriate costings. One of my constituents got a retrospective scheme of works—in other words, it was drafted following the completion of the works, rather than in advance of any of the works commencing or taking place. When the GHA was asked about how costs were arrived at between itself and City Building (Glasgow), it hid behind commercial confidentiality.

A second issue that I am dealing with relates to home owners whose properties are factored by the GHA. Each home owner has paid £6,000 to have their home clad to improve energy efficiency and address fuel poverty. There now appears to be a serious damp problem in those properties, which has to be investigated. We will see whether the GHA, as the factor, has let down those home owners.

I thoroughly agree with the dispute resolution approach. Because of the Conservatives' right-to-buy policy, many people who now own their home could never have afforded to own and maintain a home previously. We must consider credit solutions for home owners who cannot afford to pay for the upkeep of their properties.

Pauline McNeill: This has been a positive speech so far, but what is Bob Doris's position on whether there should be a statutory framework or a voluntary code?

Bob Doris: I said at the start of my speech that I favour a statutory framework. However, I will have to see how that would work in practice, which is why I cannot give a firm commitment to any bill. Clearly, however, I favour a statutory framework.

We need credit solutions as well as dispute resolution, as many home owners avoid maintaining their properties because they simply cannot afford to do so.

The minister made a point about local monopolies. Perhaps we need to reconsider the GHA framework, which has a local factoring monopoly for many properties that are owner-occupied. Regulation can improve minimum standards.

We should consider a couple of other issues that might involve unintended consequences. A number of constituents have contacted me about self-factoring. How will people in closes and blocks who have to self-factor deal with regulation? There might be some unintended consequences in that regard.

Patricia Ferguson: Will the member take an intervention?

The Deputy Presiding Officer (Trish Godman): Sorry—it is too late to intervene.

Bob Doris: Apologies to Ms Ferguson.

I will finish off by praising *The Herald* and the *Evening Times*, which, we all agree, have outpaced all the politicians in addressing the issue. No major political party had proposals in this area in their manifestos in 2007, but we are now coming together to address it as a Parliament.

I have no concern about a turf war in relation to addressing the issue. Whether through a member's bill from Ms Ferguson or through one of the two pieces of proposed housing legislation from the Scottish Government, let us deal with the problems.

10:13

David McLetchie (Edinburgh Pentlands) (Con): Although my profession—that of the solicitor—has been very heavily regulated by the Parliament in response to consumer complaints, in the course of which self-regulation by the profession was heavily criticised, my natural inclination as a Conservative is to view statutory intervention as a last, not first, resort in the marketplace. I believe that Governments and the Parliament should involve themselves only when there is demonstrable market failure and no ready means of redress, particularly through the exercising of choice, for customers, clients or consumers. We should reflect on the fact that, for any business, the most effective sanction by far is the loss of business.

It is an inevitable fact of life that attention is invariably focused on customer complaints, rather than customer satisfaction. Before we talk any more about what is wrong, let us remind ourselves about what is right. In that context, one of the key findings of the Office of Fair Trading study was that most people—about 70 per cent—were happy with their property manager.

They said that they found it easy to get repairs carried out and felt that the services that property managers offered represented value for money and were of good quality. Let us praise the property managers and factors who do a good job, as Patricia Ferguson did—fairly—in her speech, and reflect on the fact that those who do a good job will be as concerned as anyone about their profession's reputation and the activities of the minority who let it down.

I underline the point that, as my colleague Mary Scanlon said in her speech, the Conservatives are not necessarily opposed to Patricia Ferguson's bill. We will give it fair consideration and view it against the alternative of an accreditation scheme. As the minister reminded us, the OFT study recommended that the Scottish Government should take the lead in ensuring early implementation of such a scheme and keep its progress under review. It also recommended that, if the scheme did not prove proved effective within two years, the Parliament should legislate to introduce a statutory scheme to provide appropriate redress. Alex Neil reminded us in his speech that, in its response to the OFT report, the Government said that it would support and facilitate the establishment of such a scheme while stressing the importance that it be industry led.

The clock is ticking and the ball is very much in the Government's court. Although the Conservatives are prepared to cut the Government some slack—we recognise that such schemes cannot be magicked into existence overnight—we are not prepared to sit back indefinitely, and we expect substantial progress to be made. The Government, property managers and factors should be in no doubt that Parliament is very much on their case and will support a statutory scheme if an appropriate self-regulatory scheme is not up and running in the near future and proving its worth by dealing with some of the serious complaints that have been made, which have been well articulated in the debate.

Despite the minister's best rhetorical efforts—I welcome him back to the chamber—I did not sense any urgency in his remarks. Indeed, uncharacteristically, he sounded a wee bit defensive to me. I would be interested to hear in his closing speech exactly what has been done with the working group since May 2009 and when the accreditation scheme will be published as part of the group's report. All members would be interested to know the timetable for action because, most decidedly, we all want action of one form or another to be taken.

Property managers come in all shapes and sizes. There are private sector property managers, many of whom are members of the long-established Property Managers Association

Scotland. There are housing associations that not only manage properties in their own developments but are now competing for property management business in private developments—my son works for such an association. There are management services that are performed as adjuncts of other businesses, such as letting and estate agencies.

We have a very complex marketplace with a number of different participants, so a statutory scheme would be complex to devise and administer because it would have to reflect the nature of the players in the market. It would also have to include *de minimis* provisions so that it applied only to those who were involved in managing whole estates, developments or blocks of flats, rather than to those who manage collections of miscellaneous individual properties, because the bulk of complaints relate to the inability of groups of owners to hold their factors or property managers properly to account and to obtain redress.

I have always believed that the exercise of choice in a marketplace is what drives up standards of customer care and levels of customer satisfaction. In that regard, the findings of the OFT study that there is a low level of switching in the property management market and little evidence of active competition between property managers are of concern to me. We should examine whether statutory interventions are appropriate to enable informed choices and switches to be made. In some respects, that may mean overriding existing provisions in title deeds or deeds of conditions where those operate as a restrictive practice to preserve a local monopoly that fails to provide property owners with good-quality services and value for money.

The speeches in the debate so far demonstrate that there is a great deal to be done. Robert Brown gave a good summary of the interlocking issues that are involved and which require consideration. There is a great deal to be done and we must get on with it.

10:20

Malcolm Chisholm (Edinburgh North and Leith) (Lab): I speak in the debate because of the large number of concerns that constituents have expressed to me about factoring services. Those concerns have not come from the large number of people who live in traditional tenements in my constituency, because traditional tenements in Edinburgh have never had factors; they come from residents in the large number of new-build flats that are being built in various parts of my constituency, particularly—but by no means exclusively—at the waterfront.

Like other speakers, I will concentrate on the problems that have been raised with me. However, I will make two other points to start with. First, we are not talking about all factors. Various speakers have recognised that there are good factors. To give an example, I had a meeting two months ago with one factor who supports Patricia Ferguson's proposed bill. I recently spoke to another—and will meet him later this month—who has complained about the fact that no independent body regulates his profession.

My second point is that not all constituent concerns have been about factors. Quite a large number of residents from one development have complained about people not paying because they are concerned that the factor may walk away from their development. I believe that that has happened at Kingston quay in Glasgow and in one or two places in my constituency. I have written to the minister about that issue, which we must recognise as well. As Patricia Ferguson said at the beginning of her speech, there are sometimes good reasons why people do not pay but, in most cases, people clearly ought to pay. There are issues with absentee landlords who do not live in the UK and do not pay.

I make those points at the beginning of my speech to put the rest of it in perspective.

The concerns that have been expressed to me overlap to a considerable extent with those that the OFT research highlighted. It highlighted significant dissatisfaction in relation to many issues, including lack of information, poor value for money, inadequate complaints handling and frequent failure to arrange repairs or supervise them adequately when they are arranged.

I spoke a few days ago to a constituent who complained about a continuing repair problem that had not been dealt with, although, interestingly, he pointed out one repair that the factor had done and for which the residents had been billed that ought, in fact, to have been done by the builder. That feature—the relationship between what factors are responsible for and what builders are responsible for—has not come out in the debate. The other enormous issue in the new builds in my constituency is snagging problems, some of which can be dealt with only by the Westminster Parliament rather than this Parliament.

The OFT report also highlighted the low level of switching. David McLetchie referred to that, but there are significant difficulties with switching. First, there are problems with title conditions. Perhaps we need to revisit the Title Conditions (Scotland) Act 2003, because residents often cannot change their factor for five years or until the last house in a development is built and sold, which may be nearer to 10 years in the current economic circumstances.

Secondly, there are often enormous problems when residents change their factor. In another horrific recent example that was brought to my attention, residents have changed their factor following persistent overbilling and other incompetence on the factor's part but the sacked factor is refusing to deal with refunds or any of the other outstanding issues. That factor also refuses to return the float, which makes the handover to the new factor difficult because people are understandably reluctant to pay a second float. All those issues must be addressed, too.

Other residents perhaps foresee those problems, cannot switch anyway because of the title deeds, or suspect that a new factor may not be much different and, therefore, try to come to the best arrangement that they can with their existing factor.

However, I should mention that another residents association—obviously, I am referring to a large number of such associations without naming them—has kept its factor but has taken over many of the factor's activities, thereby greatly reducing the residents' bill. That is an interesting model that is open to others to use, although it presents some difficulties. The residents involved decided to get new quotations for insurance and have ended up with a premium that is half what it used to be and with an excess of only £100 rather than £1,000. The issue of insurance highlights an on-going concern whereby the higher the premium, the higher the commission for the factor. That insurance example highlights the issue of costs, and many of the complaints that we receive are about the escalation of costs and lack of information about what the costs are.

One of my constituents from another development suggested that there should be independent annual auditing and even an independent auditing authority. Independence is a key concept, which contrasts with relying only on the Property Managers Association Scotland. There is also an argument for independence in complaints handling, because the only recourse at present is—again—to the PMAS. A key demand is independent redress as part of a quality control system with auditable standards.

Patricia Ferguson's proposed bill offers many elements that are at the heart of my constituents' demands. It proposes a dispute resolution mechanism, using the quasi-judicial infrastructure that we already have through the private rented housing committee. In addition, and crucially, it proposes a registration system that is based on a fit-and-proper person test and adherence to set standards. Although that is an excellent foundation, I would probably add things to the bill; it will be possible to propose additions, given the procedure for members' bills. I certainly do not

believe that a purely voluntary system will address the serious problems that should be clear to all from the debate.

10:26

Jim Tolson (Dunfermline West) (LD): I welcome the debate, which highlights many issues that are addressed in Patricia Ferguson's proposal for a member's bill, to which I have signed up. I hope that it will provide protection for home owners and raise standards in the property management industry. Indeed, many of us will recall debating this issue in a members' business debate last year. I believe that today's debate provides an important and welcome impetus for Patricia Ferguson's proposal and for taking the issue forward.

I have always supported the Liberal Democrats' long campaign to establish, as the amendment in Robert Brown's name states, a

"mandatory accreditation scheme to cover private, public and voluntary sector property managers."

The scheme would include definitions that would focus on improving standards rather than setting minimum levels of acceptable performance. Many of the problems with factoring companies have arisen since the mid-1990s, when private developers chose to undercut their competition by no longer paying the in-perpetuity, up-front maintenance fees to the local authority; instead, developers sought to reduce their costs by imposing the financial burden for the maintenance of properties on the buyer, which was done by writing into title deeds the need to engage a property factor. That would be all well and good if factors performed their obligations at a reasonable cost and with reasonable quality, as many members have said, but in too many cases they do neither.

As many members are aware from their casework, it is extremely difficult to progress a dispute between a factor and owner-occupiers, who can find themselves in a no-win situation. It can be very difficult to get out of a contract with a property factor whom the residents consider unsatisfactory. Such issues affect many of my constituents and many others across Scotland. Indeed, some areas in my constituency have no factors and no maintenance is done on, for example, children's play areas and green spaces; with no one to sue, no resolution is possible for such constituents.

Previously as a local councillor and now as an MSP, I have spent many hours trying to resolve difficulties between residents and residents associations, and factors. It is sometimes impossible to query with a factor the need for repairs or improvements. There have been issues

with unclear invoices, excessive charges, high rates of interest and penalty charges. If a property management dispute cannot be resolved between parties, there are only three options: first, to sack the factor, but that decision must be agreed by nearly all householders on any given estate; secondly, to go to independent arbitration; or thirdly, to raise court proceedings. All those options are time consuming and costly, to say the least, and are beyond many people.

There are some good factors in Scotland, as other members have said. I have examples of those in my constituency. However, many of us have encountered difficulties with certain factoring companies over the years. One of the most contentious is Greenbelt, to which Mary Scanlon and Patricia Ferguson quite properly referred. Greenbelt maintains open spaces and stairwells, but it first purchases the open spaces from the developer and then charges residents an apparently uncontrolled fee to maintain the land that Greenbelt owns. If that is not an insult to home owners, I do not know what is. Mr McLetchie seemed to have missed that situation when he suggested that self-regulation is the answer. I welcome moves to regulate the industry and provide an accessible form of dispute resolution. However, is that enough?

The Government's plans—at least at this stage, as the minister said—for a voluntary, industry-led accreditation scheme for property managers simply do not provide the necessary clarity for our constituents. The Government has stated that it will impose statutory measures, if they prove to be necessary. However, I hope that the minister will consider, as he said he would, the detail of Patricia Ferguson's proposed bill and look more favourably on it, because I believe that it is the only solution for many of our constituents around the country. It is clear to many members that mandatory measures are required now in a scheme that would

"cover private, public and voluntary sector property managers."

As I said previously, the scheme would include definitions that would focus on improving standards rather than setting minimum levels of acceptable performance.

I do not believe that the solution lies with the Government's plans. Patricia Ferguson's proposals are a step in the right direction, but I believe that we should be looking at a more radical proposal that would, in some ways, see a return to the maintenance of public open spaces being carried out in perpetuity and the cost of that being part of the purchase price of a home; only in that way will future Scottish householders be able to get away from the difficulties that are caused by

poor factoring, which have affected nearly a quarter of a million people to date.

Patricia Ferguson's proposed bill will help the situation by driving up standards and moving towards a better regulatory system for existing home owners. However, it will not resolve all the difficulties that home owners have had to contend with over the years. I therefore believe that we need to go further. Ultimately, there should be a way of giving local authorities the power to adopt a maintenance scheme, albeit with an increased adoption fee, to ensure that future consumers have an accountable, in-perpetuity maintenance scheme in place for their housing schemes.

10:32

Margaret Curran (Glasgow Baillieston) (Lab):

The debate is welcome, because its subject matters enormously to many people. As we have heard throughout the debate, many of our constituents have raised concerns about factoring issues. It is telling that we could all easily recount examples of the scale of the problems that we face in that regard.

I, too, congratulate Patricia Ferguson on bringing forward her proposed bill.

I am pleased that cross-party support for it is growing. For those of us who have been in the Parliament since its beginning, factoring is one of many issues that we have commented on. It is pleasing to garner support on such an important issue and see that members are prepared to lay aside their differences on key points. Factoring is perhaps not a huge ideological issue, so it affords an opportunity for cross-party work.

It seems to me that the emerging issue in the debate is the need to move from a voluntary to a statutory framework—that is where opinion is galvanising. Certainly, the Parliament has an opportunity to reflect that by getting behind Patricia Ferguson's proposed bill. I hope that we seize that opportunity. As is evident from the work of Govan Law Centre and from reports in the Glasgow media—for example, the *Evening Times* and *The Herald*—the worries, concerns and frustrations around factoring are significant and widespread. That is certainly the case in the city of Glasgow. Patricia Ferguson's proposed bill provides an opportunity for us to do something significant about that.

Like other members, I have received representations from across my constituency that express concerns about factoring. I am pleased that shopkeepers will be covered by the proposed bill, because I know of shopkeepers who feel strongly that they have been left out of the decision-making process, that decisions are

stacked against them and that their interests are not properly recognised when decisions are made.

Like other members, I have examples of ordinary families and couples who find it extremely frustrating that they have no means of tackling the issues that they face in their daily lives. Only this week, a young aspiring couple who clearly want to maintain their house came to my surgery because they are having trouble with young people gathering outside their front door, which is constantly being kicked in.

There is also graffiti in their close. The most eminently sensible thing to do would be to get a better, stronger door, but despite the fact that they have made repeated representations to their factor to that effect, the factor will not comply, and they have no means of communicating effectively to resolve the issue. It is obvious that other avenues such as policing need to be pursued, but it seems that a sensible property management measure that would tackle the issue is not being adopted. It is concerning that the couple have come to me in desperation to ask what they can sensibly do about the problem. We do not have a proper commonsense answer, which is why we need to look to legislation. It is clear to me that there is an issue to be addressed.

I recognise that there are many good factors, but although I am pleased that only a third of respondents to the OFT survey articulated difficulties with the service that they receive from their property manager, in my experience a higher proportion of residents seem to experience such difficulties. That said, a third still represents an important number of people and indicates that there is a substantial problem. There is no doubt that, as ordinary people know from their daily experience, money is wasted, responses are not provided and there is a lack of proper redress. The problem is big enough and important enough for us to take action on it. The fact that we could spend the entire debate talking about individual problems serves only to illustrate the point that, as Patricia Ferguson and Robert Brown said, standards are at the centre of the issue.

I want to focus on the Parliament's opportunity to take action. The minister properly laid out some of the history that underlies the present situation. I do not want to be defensive, but I think that previous Governments have taken action on the private housing market. However, we are at a point at which voluntary efforts to work with the industry have failed or have not worked properly. Given that we are approaching the final year of the parliamentary session, it is vital that we do not lose the opportunity that Patricia Ferguson's proposed bill presents.

I noted David McLetchie's questions to the minister about what has been done since 2007

and what the timetable for action is—we are all extremely interested in that. I also noted that the minister said that it was time for consensus. I will not comment on the rumours in the Parliament that Alex Neil calls for consensus when he knows that his back is against the wall and that he is losing the argument—I am too much of a lady to do that. I will leave those rumours to one side and welcome the Government's action.

However, it is clear from our constituents and from what members have said in the debate that an appetite exists for change. The central point is the need to move from a voluntary to a statutory scheme, which will afford our constituents the protection that they require. In particular, they need protection for their resources and they need access to redress. Patricia Ferguson's detailed proposals give us an opportunity to provide that. The proposals will be properly scrutinised through the parliamentary process. We have one final year. Let us not waste that time; let us seize the moment and get behind the proposed bill, because it will allow us to take effective action for our constituents.

10:39

Stuart McMillan (West of Scotland) (SNP): I welcome the debate. It is to Patricia Ferguson's credit that she lodged the motion.

There are many issues that we can all argue about in Parliament and, dare I say it, there have been and will be occasions when all sides' engagement in partisan party politics gets in the way of real discussion of an issue. Sometimes there can be too much bluster and shouting in the chamber just for the sake of it, but the majority of the comments that have been made during the debate have been much more measured. The debate has been more reasonable than some that we have. Some of the comments that were made earlier made me worry that we would fall into the trap of engaging in party politics again but, thankfully, we have not done that too much.

I will be frank and admit that I have been contacted by constituents on factoring issues, but I have not been inundated with people raising such issues. However, that does not mean that there is not a bigger issue across the country.

I have lived in flatted accommodation, albeit briefly. I did so for a short time while at university and just after I got married, when I stayed in a flat in Greenock, which had no factor. There were six flats in our section, 12 flats in the block and numerous blocks in the street. To my knowledge, there was no factor anywhere in that locality. Between our six flats, we decided to club together and get some basic maintenance tasks undertaken. That was fine—the process was not

too onerous, but there was still the issue of approaching the neighbours and asking them to contribute money.

If we had had a factor, things would have been much easier for everyone who stayed in the block. That would have involved taking major decisions about how to proceed with selecting a factor, and there would eventually have been the added cost burden of employing one, but a benefit of the factor system is that the factor organisation is charged with collecting any moneys that are due, which was not the case in the situation that I was in a few years ago.

I rent a flat here in Edinburgh. Recently, residents and owners decided to change the development's property factor—I think that they were sick and tired of the fact that although bills would come in and the costs would increase continually, they saw little in the way of upkeep of the development. The process of change appeared to take quite a long time. Many things happened—various meetings were held, letters kept coming through the door and one night I got a visit from one of the folk involved, who wanted to progress matters. I am a tenant, so I passed on all the information that I received to the landlord, because it is the landlord who receives the bills and pays the factoring charges. The process appeared to be fairly seamless, but at the same time it was quite drawn out. I am aware that that situation will not be replicated across the country, and I will return to the issue of changing a factor. However, I am quite confident that the owners of those flats will have a better outcome in due course.

The number of tenement properties and flatted developments in Scotland means that property factors are essential.

Mary Scanlon: I have listened carefully to what the member has said, but although I appreciate that there is a problem with factoring in flatted properties and tenements, there is an enormous and serious problem in new housing estates the length and breadth of Scotland and in the islands. I have no experience of flatted properties, but I have been inundated with people telling me of problems with all the new housing developments around Inverness. The issue is about land management and ground maintenance, as well as flats.

Stuart McMillan: I fully accept the member's point. I did not want to give another example from my own experience. We went through a process of changing the land factor for the house that I stay in in Greenock only two years or so ago, so I am very much aware of those issues.

The challenge that faces us is to decide whether to legislate or whether to have a voluntary

accreditation scheme. I am sure that members of all parties agree that both options have merits and must be considered fully. As far as the legislative approach is concerned, it is difficult to consider what could happen and what the consequences could be without seeing the detail of Patricia Ferguson's proposals. That said, it is extremely difficult to disagree with the sentiments of Patricia Ferguson's motion.

The voluntary accreditation scheme approach is the route that the Scottish Government, alongside numerous partners, including Consumer Focus Scotland, has taken to providing a solution to the existing problem.

The easy option and sometimes the greatest political hit is to call on the Government of the day to introduce legislation. I am not for one minute suggesting that Patricia Ferguson has taken that route. The fact that Ms Ferguson held a consultation in October 2007 shows that this is a genuine attempt to solve a problem, and she should be commended for that.

I feel that legislation can sometimes be a blunt instrument and that every possible option should be considered and introduced, when justified, before legislation. Both the OFT report and the Consumer Focus Scotland briefing are interesting, and two points in the OFT report stand out for me. The first is that one third of consumers feel that they do not get good value for money, and the second is that there are low levels of switching. I gave the example of the flat that I rent here in Edinburgh. I am confident that switching will prove to be beneficial, but it was a long and drawn-out process. There may be people who do not want to participate in such a process, so I can understand why there has been a low level of switching in the past.

If we consider the economic situation and the uncertainty about future budgets coming to the Parliament and the subsequent knock-on effects to wider Scotland, I hope that those two points—the lack of value for money and the low level of switching—will change in the coming months. Every penny will be a prisoner, and I am sure that owners of tenement flats will exert a stronger voice and act accordingly. I am sure that greater emphasis will be placed on value for money and, as a consequence, there will be more switching.

The Deputy Presiding Officer (Alasdair Morgan): Wind up, please.

Stuart McMillan: I welcome the minister's openness on Patricia Ferguson's proposal and his willingness not to reject it out of hand. The consensual approach allows for a greater outcome and better deal for owners who deal with factors.

10:47

Sandra White (Glasgow) (SNP): I should probably declare an interest as I stay in a factored property. Indeed, on Tuesday night I attended a residents meeting, where this debate and Patricia Ferguson's proposed bill were discussed. At some points, the meeting was quite heated, so I will not name the factor or its other properties, but I will give members a couple of examples as I go along.

I know that, basically, there is consensus on the issue. There may be dubiety about how we go about tackling it, but there is certainly a consensus that the people of Scotland need better factoring. The debate is about how we get that.

As has been mentioned, there are good factors and bad factors, and we must remember that there are good factors that support Patricia Ferguson's bill as we do. They want legislation to get rid of the rogue factors, and they are very supportive of action.

Speaking about legislation, I should say that I do not believe that voluntary regulation will work in this case. However, I will quote from Consumer Focus Scotland's briefing for this debate, which we should consider:

"Voluntary and statutory approaches to regulation are not mutually exclusive, and both have advantages and disadvantages from the consumer perspective. CFS believes that the cost of regulation must be weighed carefully against the benefits."

That is fair.

"In most cases, it is the consumer"—

that is, the tenant—

"that foots the bill for the costs of regulation through increased prices. Citizens can also pay indirectly, through taxation, if the public sector is to bear the cost of regulating an industry. Any regulation of this market must therefore be developed to ensure that there is real benefit to consumers and taxpayers to justify increased prices".

Robert Brown: In making that valid point about costs, does Sandra White accept that the cost element will exist whether the arrangement is statutory or voluntary? The cost has to be met somewhere, and in practice will probably land on the consumer. It is the value that is important.

Sandra White: I quoted the briefing only to put the debate in perspective. I do not believe that voluntary regulation will work—it must be statutory—but I wanted to mention the view of CFS, which spoke to people. Those are the answers that it got back, and we have to look at everything. CFS makes a valid point, which is why I wanted to raise it.

Like others, I have spoken to the minister, and I know that whether any system is statutory or voluntary is not set in tablets of stone. We have to take into account everybody's ideas on the

proposed bill. As Malcolm Chisholm mentioned, there may be various amendments as the bill goes through Parliament. We have to consider everything. Although there is a cost, we are dealing with people's lives. As Margaret Curran mentioned, we are talking not just about property but about how people live their lives.

I want to give some examples of good and bad practice. One issue is a lack of information when people move into a tenement property or, as Mary Scanlon rightly said, a new-build property. People do not know how much maintenance will cost and what the factoring fees will be. Malcolm Chisholm's example was one of the best—when the residents shopped around, they were able to save hundreds of pounds on their insurance bill. As I know to my own cost, factors never tell people that they can save that amount of money. That is why it is important to address the lack of information.

There is also an issue with the difficulty in having repairs carried out. Even more so in some cases, there is difficulty in finding out whether repairs have been carried out. People get a bill and pay it, but then they think, "I didn't see anyone come out to do the work. Who let them in?" When they phone the factor, they cannot get any answers or a breakdown of the bill, and yet in some cases they are paying thousands of pounds. There is sometimes no proof that repairs have been carried out—there is no receipt or breakdown—but people have to pay for them.

Of course, when people query the bill and say, "I'm sorry, but I don't see that the repair work has been done and I'm withholding payment until I see evidence of it," the next thing is that they get a letter from a sheriff officer saying that they are being taken to court. That is an important issue—people are very dissatisfied with how things are dealt with.

Another issue is that when people query a bill and ask factors to get quotations from other builders, joiners, gardeners or other maintenance people, factors never seem to do it. As Malcolm Chisholm's example showed, people can save hundreds of pounds when they shop around, but when they ask the factor, "Why didn't you do that?", they reply, "Well, it's not my job." Factors are not being proactive; they are basically just collectors of money. They are not doing anything for the tenants.

I am talking about the bad factors, which are mostly in the private sector. I must admit that I used to get most complaints about the GHA, but, as others have said, Martin Armstrong and the minister seem to have improved things there, so I get a lot fewer complaints about the GHA than I did before. I mostly get complaints about private factors.

Mary Scanlon mentioned other areas, but as a Glasgow MSP I get most of my complaints from tenement properties and the residents meetings that I attend. The complaints are both worrying and annoying for people. Most of the people I represent are working and are not in during the day, so they cannot prove that things have been done—even changing a light bulb, as was said. We would think that it costs a couple of pounds to buy a light bulb, but people can get a £300 bill for changing one light bulb and cannot even prove that it has been done.

We have to regulate those problems. I look forward to the bill going through the parliamentary process. We agree that something needs to be done, but we may want to lodge amendments to toughen or slacken the bill, and there will be an opportunity to do that.

I congratulate Patricia Ferguson on bringing forward the proposed bill, and I thank the minister for lodging his amendment, which should be acceptable to members. I hope that we can move forward in consensus, because people who live in factored buildings—myself included, I must admit—are having to put up with problems day after day, week after week. I look forward to the bill going through the process.

10:53

Sarah Boyack (Edinburgh Central) (Lab): I welcome the debate. The common theme in the speeches from throughout the chamber is that we need urgent action, and we all agree that we need to use Patricia Ferguson's member's bill to get effective legislation to identify the solutions to the problems of property management. The issues are complex, and are part of a continuing programme for the Parliament. We have looked at feudal tenure and the law of the tenement; a review of factoring is a crucial part of the process, and we need to turn our attention to it.

There are different traditions and practices across the country and in the cities. In Edinburgh tenements, there is not the same tradition of factoring as in Glasgow. People tend to manage properties themselves, spurred on—I must say—by statutory notices from the council. The law of the tenement has been helpful, although it has not resolved all the issues: there is still more to do.

Issues such as fair shares, and the effective management and affordability of repairs are relevant to new properties, too. At issue is not just the physical state of the building but the land around the building and the security of the property. Those issues are crucial and, in Edinburgh, they tend to be led by factors. I will focus on rising costs, the lack of transparency, the need for registration proposals and the need for

effective dispute resolution. Those things will all be dealt with by Patricia Ferguson's bill, which provides us with the vehicle to set the right framework. Towards the end of my speech, I will also focus on the particular vulnerability of older residents, for whom the lack of dispute resolution is a major social justice problem.

Lots of residents have reported to me the rising costs of maintenance, utilities and insurance; the difficulty that they have in challenging estimates from factors; the difficulty in getting to see the bills as they come in; and issues around having proper transparency. One of my constituents challenged the factor and the utility company when a change from one utility company to another was proposed. The resident pointed out the reason why they used a specific utility company and the need to check that the tariff was right because of the nature of the property's heating system. The factor completely ignored my constituent and changed the utility company. Months later, after a process that was not at all transparent, my constituent was able to get that changed because the factor had chosen the wrong tariff and a company that could not deliver the right tariff given the nature of the heating system in the block. My constituent was not given access to the utility company, which refused to talk to him because he was not the factor. The factor also refused to talk to him. Then, following months of upheaval, after the factor had changed back to the previous utility company, my constituent was sent a series of hostile letters.

We need to reassert some balance and get a level playing field. A publicly available and transparent register would help, and the ability to get information from factors is crucial. One of the helpful suggestions in the OFT report was to have a good code of practice. That could come along with a proper regulatory system through the Parliament. People need to know what they should expect from a factor and, to be fair, the factoring companies need to know what they are expected to provide. Everybody must be clear about that.

Malcolm Chisholm raised the issue of deeds when somebody buys into a new property. In one case, the developer has avoided dealing with a leak in the roof that has been there since the start of the development. The developer has also been able to avoid the setting up of a residents association by specifying in the deeds that there can be no residents association until every property in the development is sold. The developer has held on to the last flat, deliberately not selling it, so that there cannot be a residents association and, until there is a residents association, the residents cannot debate getting rid of the factoring company. Those things are tied together, which is why the situation is complex. However, that is why we need a debate in the Parliament about the legislation.

Thousands of our constituents would be glad if we began to deal with the matter. Dispute resolution needs to be part of the process. It is vital in getting proper remedy. Pursuing a legal remedy can be very expensive and time consuming, even through the small claims system, and if someone is not au fait with how the law works it is difficult for them to know where to start. At the moment, it is difficult to switch factors, so I am not surprised that many people do not do so. That cannot be used as evidence that the system works.

I have given the example of people being tied to a factor through their deeds. When they start to receive increasingly threatening letters from their factor and face hiked-up bills, that disempowers them, and it is a social justice issue. A large number of older people in my constituency have deliberately downsized from leaky, inefficient, expensive properties. They have freed up the larger properties, which is good for society, and have bought smaller, newer properties with the expectation that they will be able to manage their financial affairs more easily. However, it has become a financial nightmare for them and a real social justice issue. Those people are vulnerable. They are intelligent and articulate and they are able to write letters to us, but they are not able to deal with lots of threatening letters from factors. They should not have to deal with such letters. We should have a fairer system.

David McLetchie asked whether we need a proper system now or whether we should opt for a voluntary system. He accepted the fact that things are not moving fast—a year has passed since the OFT report was published. The minister needs to listen to us all across the chamber. Let us address the fact that a third of factoring companies are seen to be unsatisfactory. If there were a voluntary scheme, two thirds of the companies would sign up but a third would not, and after a couple of years we would be back here having the same debate. Let us cut to the chase and use Patricia Ferguson's bill to have a proper debate, consult everybody, examine the detail and get it right. Let us not wait two or three years for a new Government to start the process all over again. I know that the minister wants to consider the voluntary approach first, but we have had debates in which we have talked about going voluntary but also about using the force of the law if necessary. Let us regulate the sector transparently and properly, with a good debate, and let us get it right.

We still have a year and a quarter left of this session. Let us use that time wisely to think about the problems that our constituents face and get the proper remedy. There is enough cross-party support to get it right.

11:01

Nigel Don (North East Scotland) (SNP): I will return to the issue that Mary Scanlon raised. As members will recognise, there are two different areas to the subject: how flatted accommodation is factored and how external, commonly owned parts of a housing estate are factored. I will concentrate on the second area.

Planning advice note 65 generated a desire for estate builders to ensure that their external land—the common areas—was owned and managed by somebody. Two ways emerged in which that could be done. The first was to get the local authority to take it over, although at a cost. The second was to sell the land or, possibly, to give it to a land management company, which would have the right to receive payments from the house owners. That is where the problem to which Mary Scanlon and Jim Tolson referred has arisen.

If the factor does not perform, there are a couple of things that the house owners can do. They can engage with the contractor and try to get it to get it right, or they can withhold payments with the expectation of being sued—and some are doing that. However, we have heard many times that our constituents want a quiet life. Although withholding payments and waiting to be sued might appeal to the average MSP, it does not appeal to the average constituent.

The Title Conditions (Scotland) Act 2003 was designed to deal with the problem. Section 3(7) states:

“Except in so far as expressly permitted by this Act, a real burden must not have the effect of creating a monopoly”.

It is quite clear that that statute was designed to deal with the situation that I have described and enable the owners, in one way or another, to change the factor under those circumstances as well as many others. Unfortunately, it appears that it does not do so. Section 63 relates to manager burdens, which one would have thought to be relevant, but it turns out that it is essentially about the temporary situation during the first five years when the aim is to sell the property. Section 33 allows a majority of the landowners to change community burdens. However, the factor will be one of the land owners and will have a right to object and to take the matter to the Lands Tribunal for Scotland.

Section 122 of the 2003 act defines “service burden” as

“a real burden which relates to the provision of services to land other than the burdened property”.

Facility burdens involve the maintenance of areas such as common areas for recreation, private roads, private sewerage and boundary walls. However, any application to discharge one

of those burdens must also be heard by the Lands Tribunal, with consequent risk and expense to the house owners.

The 2003 act affords other ways of changing or removing a factor. Section 28 allows a majority of the owners to dismiss the property manager, although that can be overridden by a clause in the deed of conditions. Section 64—"Overriding power to dismiss and appoint manager"—looks more promising. It states:

"(1) Where a person is the manager of related properties, the owners of two thirds of those properties may—

(a) dismiss that person; and

(b) where they do so, appoint some other person to be such manager".

Unfortunately, time does not allow me to go through section 66(2)(c), which relates to various issues about what is a related property, but the net result is that I have seen an advocate's opinion that the section does not apply to the situation that concerns us. The result is that an act that was intended to cover this situation apparently does not, or it is at the very least uncertain. We know that uncertain law is of no use whatever to our constituents; it may appeal to academics, because they can wind-up their students, and it has some appeal to lawyers, because it keeps them in business, but it is no use whatever to our constituents. We should do something to change that uncertain law and provide some certainty.

I have consulted the Property Managers Association Scotland and individual factors, as I am sure many other members have done in preparation for this debate, specifically on this problem. We are clear that home owners who are paying for land management services should have the right to decide who provides that service. I think I hear Patricia Ferguson saying that she feels that the matter will not be covered by the proposed bill. Given that it could have been, and I think was intended to be, covered by the 2003 act, it seems at the very least to be within the Parliament's competence to address the issue. Whether it should be annexed to the bill is not for me to say, but I seriously ask the Government to consider whether that is possible and to find a way of resolving the problem. I think that we are clear that it requires legislation.

11:06

Robert Brown: This has been an interesting debate. In closing for the Liberal Democrats, I must say that there is something musty and Dickensian about the whole issue of factors. We want a breath of modern Scottish Parliament fresh air, as it were, to be blown through the whole area.

I was struck by a couple of Sarah Boyack's comments, which were particularly relevant. One was about the greater impact, in some ways, on older people, which is a valid point. We all know examples of older people who have moved to flats or other accommodation—sometimes nice new flats with ground around them that is maintained—that has considerable management costs attached.

The other point was about the two thirds/one third business, which echoes with me. There is no question but that the issue has been around for a long time. The industry has had a long time to put its house in order, if it wanted to do it. At this point, it is not only a matter of raising standards among good factors and well-intentioned factors who want to run a decent business; it is a matter of driving out of business some factors who ought not to be factors in the first place.

Mary Scanlon: There has been a lot of interest in retirement flats this morning. I remind the member that the issue is not only management and maintenance costs; home owners are also subject to an insurance provider monopoly—they cannot even shop around for buildings and contents insurance.

Robert Brown: I am well aware of that. It comes back to a point that I made previously and want to repeat, which is about the complexity of the matter. Dealing with this area effectively and comprehensively is not easy.

Mary Scanlon began by making a point—Jim Tolson, Nigel Don and other members have echoed it—about maintenance issues, whether involving the Greenbelt Group or others. We have discussed the buy-to-rent aspect, which I touched on, and also, of course, factors. Malcolm Chisholm correctly pointed out that there are undoubtedly issues with some home owners, for example home owners not paying their share is a significant problem. Ken Macintosh mentioned retirement homes—I have had the same experience in my own constituency—and Margaret Curran rightly mentioned shopkeepers. We might want to deal with a wide range of people and circumstances in the proposed bill.

The debate has, to a considerable extent, centred on standards and whether there should be a voluntary or statutory arrangement. I very much take the view that we require a statutory framework. Margaret Curran talked about the lack of such a framework being the important issue that underlies the debate.

I should clarify the Liberal Democrat amendment, which refers to "voluntary sector property managers." It has been suggested that that is intended to apply to self-help arrangements, but it is not. Either such arrangements should

remain unregulated or we should deal with them in a different way if the issue arises. Such arrangements are more in the co-operative field than the field that we are talking about in this debate. However, voluntary sector property managers certainly include the GHA and perhaps also the community-based associations, although I also touched on the need to avoid overregulation in that respect.

David McLetchie made the point that statutory regulation can be complex, but so can voluntary regulation. The minister referred to the difficulties caused by a local monopoly, which is also a valid point. I do not accept the implication that the issue can be resolved voluntarily. We must take action to deal with the debt farmers to whom Patricia Ferguson referred and with the cowboys in the field, and bring in reputable people who will do a proper job and are prepared to be regulated properly within a system, whether it is voluntary or statutory.

I liked Pauline McNeill's phrase that it is necessary to

"assert the authority of the Scottish Parliament".

That also lies behind our approach to the issue.

Whatever the end result, the work that has been done on the voluntary scheme will no doubt be helpful. I guess that the issue can be tackled on various levels. David McLetchie mentioned the Law Society of Scotland, which is fairly heavily regulated, although, in effect, the regulation is accomplished by the Law Society itself. I have no doubt that there will be an element of self-regulation in any scheme.

Standards are important. We should note the point that residents and good property managers benefit from standards, as does the general community.

Some issues have been raised that can be tackled in other ways. Jim Tolson rightly touched on the maintenance of common areas, such as grassed areas and open spaces, and the fact that planning bonds used to be common but have now given way to factoring-type arrangements. As he rightly suggested, there may be other ways of tackling that issue. Malcolm Chisholm mentioned the big issue of builders and snagging problems, which overlaps with factoring.

Finance is another issue. We should not disguise the fact that, whether the regulation is statutory or voluntary, a cost will be involved. On the other hand, regulation could take out some costs. For example, there could be benefits from there being better competition for insurance premiums. Regulation could lead to a better service at a more appropriate cost, which is what we seek.

Like yesterday's debate on regeneration, this has been an excellent debate, because people largely know what they are talking about. In his response to the debate, the minister has to tell us more about the timetable, because I am not clear how many meetings of the ministerial working group have taken place, how far it has got, when the minister expects proposals to come out the other end and what the timetable is. We have to get that information at the end of the debate so that there is clarity about where we are going. This is an important debate. I very much support the motion and, in particular, obviously, the Liberal Democrat amendment.

11:13

Elizabeth Smith (Mid Scotland and Fife)
(Con): I thank the Labour Party, and in particular Patricia Ferguson, for bringing the debate to the chamber and for affording us all the opportunity to explore, in considerable detail, some serious concerns.

I gave my backing to the initial consultation stages of the proposed bill in order to build on concerns, which have been expressed during the debate, and on comments that had been made by my colleague Mary Scanlon, who in September 2007 made it clear that there are too many loopholes in the existing legislation. We have heard from all parties this morning that we have evidence of situations, in more or less every constituency in Scotland, in which residents have encountered difficulties with factors. There can be no doubt that in many cases, although by no means in all cases, those residents are from older and perhaps more vulnerable groups, as both Sarah Boyack and Ken Macintosh said. Therefore, the issues deserve full parliamentary scrutiny.

Before I sum up our party's overall position on the matter, I have to say that we recognise that many factors do an excellent job and provide first-class facilities across the board. Of course, that in turn means that we have to be mindful that we support those factors and do not design new legislation that would be overbureaucratic or which would restrict either them or—as important—the consumer's choice.

As Mary Scanlon and David McLetchie have already made clear this morning, we want three specific concerns to be addressed: first, how we strike the right balance between accreditation, regulation and quality assurance; secondly, as Margaret Curran highlighted, the absence of effective complaints procedures against factors who default; and thirdly, the need for greater transparency in obtaining relevant financial information about the managing company's accounts.

Let me summarise our position on each. We fully appreciate the calls for better quality assurance and a level playing field across Scotland. Currently, as Malcolm Chisholm hinted, there is often a big contrast between conditions in older title deeds that make almost no provision for common decision making, and newer title deeds in which such provisions are much more extensive and comprehensive.

Although we understand the calls for mandatory regulation, which were made particularly strongly by Patricia Ferguson and Pauline McNeill, we need to keep an open mind about what that would mean, and we need to begin by listening to the arguments about whether the approach should include compulsory registration or whether the problems would be better solved by a system of voluntary accreditation. I have listened to and understand the reasons behind the strong calls for the need for more than a voluntary system, but we want to explore the arguments a little more. In that respect, I echo the request that was made by Robert Brown and David McLetchie to the minister to tell us his current position with regard to seeking additional information. After all, there are arguments on both sides, but the key principle must be to ensure that consumers have effective choice, that they will not be restricted from switching and that changes will not involve unnecessary and expensive red tape.

On the second point, we are absolutely clear that there must be an effective complaints procedure that leaves no scope for the difficult factor to manipulate a situation or to discriminate against the consumer. There must be clarity about the respective roles, responsibilities and legal rights of the managing company and the owners and residents body.

We believe that there must be much greater financial transparency to ensure that owners and residents can see clearly what their money is being spent on, and the value for money that they are getting every time they are asked to pay a bill. On that point, we also seek clarification about trading standards and whether any related issues involve purely reserved legislation and might therefore bring into question the Scottish Parliament's competence. We note in particular the Scottish Consumer Council's concern in its submission to the Office of Fair Trading that, in too many cases, consumers find it very difficult to exercise collective choice and switch. That can act as a considerable constraint on suppliers and prevent consumers from getting best value for money.

The relationship between the property manager and the owners in a shared property is defined by complex legislation, property deeds and agreements, so many consumers do not

understand their rights and obligations. Likewise, consumers often fail to understand the processes that are involved in switching; in any case, there is no effective mechanism for pursuing complaints, which allows dishonest factors to play the system even more. We also note the calls to set down the minimum requirements for best practice so that complaints can be investigated against clear standards.

In short, we will support measures that increase consumer choice, that provide a level playing field of quality assurance, and which weed out the bad factor. We will oppose measures that might tip the balance in favour of too much bureaucracy rather than self-regulation, and which might raise barriers that stifle competition and eliminate diversity of provision. As I say, we have a very open mind on whether a statutory approach needs to be taken. The arguments have been very well presented from various parts of the chamber: for that reason alone, the debate has been more than worth while.

11:19

Alex Neil: As other members have said, this has been a very good and wide-ranging debate on a serious issue that affects many people. In my closing remarks, I will emphasise a number of my earlier points, deal with some of the points that have been raised in the debate and issue an invitation to members.

I want to make the Government's position absolutely clear. First, we regard this as a priority issue that needs to be dealt with. Secondly, we believe in the need for urgent action. Thirdly, we will support Patricia Ferguson's motion at the vote at 5 o'clock. As I said in my opening remarks, we are taking a very empathetic approach to Ms Ferguson's proposed bill. Once we see the detail, we will sit down and consider it with her and, if we believe that the bill can achieve its objectives, we will give very serious consideration to supporting it.

There are certain wider issues that need to be addressed but which might not be covered in the bill. To some extent, the debate has been dominated by arguments over whether there should be legislation or a voluntary scheme. In fact, landlords and, as Robert Brown pointed out, the legal profession are dealt with by a combination of legislation and voluntary codes. I believe that we need more legislation to enforce landlord standards, although we have, nevertheless, in recent years made significant progress not by choosing between legislation and a more voluntary approach, but by introducing a combination of both, with legislation playing an important role. In that respect, I liked Robert Brown's comment that legislation would provide a

statutory framework within which a voluntary code could work.

A number of members asked about the detailed timetable for publication of the accreditation standards. I am pleased to be able to tell Parliament that they will be published next month, which indicates the importance and urgency with which we are dealing with this issue.

Robert Brown: Does the minister accept that there must at the core be a statutory requirement for people who operate in this field to be subject to the voluntary code, scheme or however it might be described?

Alex Neil: That case has been very well made this morning by Robert Brown and others. As I said, we have a very open mind not only on that issue but on the wider issues that Patricia Ferguson's proposed bill might not necessarily deal with.

That brings me to my invitation. Given the fact that across the chamber there is broad consensus about what we are trying to achieve, I invite each of the parties—including the members of the Green party and Margo MacDonald, who are not present this morning—to a meeting that I, as minister, will convene in order that we can try to map out and agree together the way forward in dealing not only with all the issues that have been raised this morning, but with many other related issues that have not featured in the debate, but which need to be addressed. If we, as a Parliament, can move forward together and agree a critical path for the proposed legislation, the voluntary framework and the other bits and pieces that we need to deal with in addition to the issues that would be tackled in Patricia Ferguson's proposed bill, we will not only make the measures more effective and ensure that they cover everything that needs to be covered, but will help with the timetable of implementing these actions. It is, after all, a lot easier to move forward if we have cross-party and all-party consensus. As a result, within the next week or so, I will issue my invitation, which I hope will be accepted by all parties in the spirit in which it is offered and allow us to map out a way forward together.

Robert Brown is absolutely right to say that this area is very complex. Some of the issues that have been mentioned will not, as I have said, be covered in Patricia Ferguson's bill or, indeed, by the voluntary code. For example, Sarah Boyack and Mary Scanlon highlighted the situation in certain new developments, in which the developer-appointed factor cannot be replaced by the residents for five years or until the last house is sold, whichever happens earlier.

I know from experience that problems often arise in the period immediately after a

development has been completed. It is often the critical time when many issues that relate to the developer and on-going management and maintenance have to be dealt with. We need to consider that area, and whether we need to reform the law that relates to new developments and offer greater flexibility.

Members need to consider seriously and urgently several other issues that have been mentioned.

Sarah Boyack: Will the minister commit to considering that factoring issue and whether there is a way we can deal with it through Patricia Ferguson's bill? Sometimes the issue is how we define what we are trying to do. If one word is used, something cannot be done, but if another word is used, it can be. Will the minister commit to at least considering that?

Alex Neil: Absolutely. I hope that we will consider it together as part of the joint approach that I have suggested. A holistic and comprehensive view must be taken.

We must ensure that a voluntary or a legislative scheme should not be overbureaucratic, as Elizabeth Smith rightly said, and that it does not, as an indirect or unintended consequence, undermine good factors and the work that they are doing. We should be extolling the virtues of good practice among the bulk of factors, but we must also be determined not only to root out slum landlords—I said to the Public Petitions Committee the other day that we should be determined to do that in Govanhill—but to root out rogue factors. That is the issue. Those people can make people's lives a misery.

As Mary Scanlon and Elizabeth Smith in particular highlighted, the peace of older people who have moved into factored accommodation and are looking forward to enjoying their retirement in comfortable surroundings is often disturbed. I am dealing with such constituency cases, in which people have sleepless nights and worries as a result of their factor's bad practice. That is unacceptable. We have called the Parliament the people's Parliament, so it is the Parliament's job to rectify that situation. If voluntary action is required to do so, let us ensure that it happens; if legislation is required, let us ensure that it happens.

I think that the mood is that we should work together to try to seriously advance the issue this year. I will therefore issue an invitation to all the parties, including to Margo MacDonald and the Greens, so that we can, I hope, put aside any party-political considerations, put the interests of our constituents and our people above any narrow political considerations, move forward, and see real progress this year.

11:12

Mary Mulligan (Linlithgow) (Lab): As is customary, I begin by saying that we have had a positive and thoughtful debate. Indeed, it has even resulted in an invitation from the minister. What more could we ask for?

I congratulate Patricia Ferguson on lodging the motion and on pursuing her bill proposal, despite the reluctance that there has sometimes been to support it. Her experience in her Glasgow Maryhill constituency has showed her that legislation is needed. As we have heard, many members share her experience, which is why there is cross-party support for her bill. Even the Scottish Government is now moving solidly in that direction.

Some members—Mr McLetchie is among them—have frequently said that the Parliament has taken on too much legislation. I suggest that that has not been the case recently. I will return to the Conservative amendment. I agree that we should legislate only when there is no alternative, but members will agree, having heard about the experiences of many people, that legislation on the issue in question is clearly necessary.

The consultation document that Patricia Ferguson issued listed a number of questions, and the responses to those questions show why legislation is necessary. We have heard other comments on that this morning. I will refer to the questions that were asked and then address the amendments.

The consultation document asked:

“What type/category of property managers should be registered?”

The overwhelming majority of respondents believed that all types and categories of property managers should be registered, but questions were asked. Should registrations include housing associations that are already registered? Members have also asked that question. Housing associations often establish a separate arm to carry out factoring responsibilities; in such cases, there is perhaps still a need for them to be registered. If the management role is taken on by one or more owners, there should be no need to register. I think that Bob Doris raised that issue. It is not the intention of the proposed bill to include such people in registrations.

Another question is whether registration should be extended to include land management companies—for example, those that both own and manage land. Mary Scanlon and Jim Tolson, among other members, raised that issue. I, too, have experience of the matter in my constituency, predominantly in the towns of Armadale and Bathgate. New-build estates are being maintained by the Greenbelt Group, which has been mentioned. We have debated the role of that

company and others before. I have been as critical of its performance as any member. However, it is only fair to say that it has responded to criticisms and sought to make improvements. I will not criticise it today, but I still believe that it would have been helpful in resolving owners' difficulties if it had been registered and, more particularly, if there had been a clear system for dispute resolution.

A number of examples have been given that show why we should regulate. Members have given examples of extremely bad practice. I should acknowledge that some factors operate and provide a good service, but it is clear that there has been bad practice. I have heard of cases in which factors have been known to use exceptional attachment orders for debts of just a few hundred pounds. Members will know that that process is the modern-day equivalent of warrant sales, in which household goods are forcibly removed and sold to pay a debt. Factors can also use the notice of liability procedure under the Tenements (Scotland) Act 2004 for very small debts. If a person has a £25 bill, for example, the factor can threaten to register a notice of liability in the land register. That would cost about £30, and would be billed to the person and would show up when they tried to sell their flat or property. That could put off buyers, as any purchaser would inherit the debt. Housing campaigners fear that too many of those notices are being used.

That brings me to dispute resolution, which is the second major theme of Patricia Ferguson's proposed bill. As we have heard, the only route for resolving disputes at the moment is through the courts. It is clear that that is unsatisfactory. Most law-abiding people instinctively shy away from the legal process, which is also, as we have heard, expensive and complex. In the responses to the consultation, the most popular suggestion on financing the costs of dispute resolution was that property managers should pay them, either through their registration fee or an additional levy. The other most popular suggestion was that the costs be publicly funded by the Scottish Government. If the minister wants to reply to that suggestion at some stage, I am sure that members would be interested to hear his comments.

The minister started his opening speech by saying that the status quo is not an option. I agree with that.

He referred to the OFT report from February 2009 that proposed self-regulation with the possibility of moving to statute. The problem for us is one that other members have raised: the delay in coming forward with any proposals. The minister also expressed concern that the proposed bill might have unintended consequences that

might stifle competition among factors. Given that most of us accept that two thirds of property factors behave responsibly, I do not think that we can say that there would be a lack of competition. However, that third of factors is a significant number who need regulation.

Alex Neil: I am sure that the member agrees with me and many of her party's back benchers that one of the problems is the difficulty that people have with the complex process that they have to go through to change their factor. That is a competition issue. We want more choice so that it is easier to change a factor that is not providing the service.

Mary Mulligan: The minister is absolutely right that choice of factor should be taken into account.

We heard an important example of that from Sarah Boyack this morning. She told of a factor who was abusing the legislation that is already in place by holding back one flat so that residents could not establish a residents association and therefore follow the available procedures to change that factor. That should convince us that we need either to make amendments to the present legislation or introduce the proposed new legislation.

Other members, Patricia Ferguson among them, suggested that there is an issue around people being aware whether a factor is in place, particularly in new properties. One clear reason why registration would be helpful is to ensure that that factoring responsibility is known about.

My final point is about the responsibility of builders and developers and the factors who then take over from them. Malcolm Chisholm spoke about that area of contention in relation to new builds, but it is also an issue in older tenements where a major repair project has taken place and the bills might be large.

Today we have a bill proposal from Patricia Ferguson that has brought about a great deal of consensus. Labour will support the Scottish Government's amendment because it does not say anything with which we can disagree, but I suggest that Mr Neil follow his own advice on registration of private landlords.

Alex Neil: Will the member make it clear whether she accepts my invitation?

Mary Mulligan: I am coming to that—all good things are worth waiting for.

Labour will not support the Conservative amendment. Although the Conservative contributions to today's debate give us heart, further delay is unnecessary and we wish to proceed with legislation. Labour will support the Liberal Democrat amendment, given Robert Brown's clarifications.

We have in front of us an opportunity to do something that will address the concerns of people in Scotland. The proposed bill does not shilly-shally and hold back, but would take action to protect a lot of people who, as we have heard this morning, have been affected by bad practice among some property factors. I am more than happy to meet the minister to discuss further options in relation to property factors. However, I urge him to be brave at this stage and to support Patricia Ferguson's proposed bill. We are always happy to consider further matters, but that should not delay what we have in front of us today. I understand that the minister will even support our motion. I urge him to take the logical step to support the proposed bill too.

Scottish Executive Question Time

General Questions

11:40

Probationary Tenancies

1. Stuart McMillan (West of Scotland) (SNP):

To ask the Scottish Government whether it has considered introducing probationary tenancies for use by housing associations. (S3O-9754)

The Minister for Housing and Communities (Alex Neil): The Housing (Scotland) Act 2001 already enables social landlords to give tenants a short Scottish secure tenancy agreement in certain circumstances, including as a probationary tenancy for those with a history of antisocial behaviour. That probationary tenancy enables tenants to be given a second chance to sustain a successful tenancy. The tenancy will be for at least six months and can be for up to 12 months. If the tenant or member of their household continues to act in an antisocial manner, the landlord can seek to end the tenancy.

Stuart McMillan: I have a number of constituents who are suffering from antisocial neighbours. It seems that, despite the involvement of community wardens, the police and other public service bodies, little can be done to deal successfully with antisocial tenants. I am mindful of what the minister said a few moments ago, but registered social landlords and housing associations in particular have expressed concern to me that the process of dealing with or removing antisocial tenants is extremely complicated. Will the Scottish Government consider amending existing regulations for RSLs and housing associations to allow them to deal with antisocial tenants in a more effective manner?

Alex Neil: I thank the member for highlighting those issues. A number of local authorities already use existing provisions effectively, but if local authorities find any problems, barriers or unnecessary bureaucratic problems with the procedure, I am happy to listen to any proposals for reform.

Sarah Boyack (Edinburgh Central) (Lab): I am glad that the minister is prepared to look at the issue, which I have raised with housing associations. The point that they have made to me is that they are not always aware of tenants' history of antisocial behaviour. If somebody leaves a property before action is taken against them, the behaviour is not recorded anywhere. Will the minister talk to the housing associations about how often they experience the problem, because it

has been identified as a major problem by more than one housing association in Edinburgh?

Alex Neil: I thank the member for raising that issue, which I will put on the agenda of my next meeting with the Convention of Scottish Local Authorities and the Scottish Federation of Housing Associations to try to identify whether it is a serious, widespread problem and whether any Government action is needed to deal with it.

Severe Weather (Vulnerable People)

2. Andy Kerr (East Kilbride) (Lab): To ask the Scottish Executive what steps it is taking to protect vulnerable people in the event of cold or severe weather. (S3O-9712)

The Minister for Housing and Communities (Alex Neil): The energy assistance package is delivering heating systems, insulation, energy savings advice, increased incomes, and lower fuel costs to many thousands of fuel-poor households. Anyone who is having problems meeting their fuel bills should phone 0800 512 012 today.

Just last week, I wrote to Helen Goodman, Under-Secretary of State at the Department for Work and Pensions, asking for wind chill to be taken into account when calculating the trigger for cold weather payments. I am sure that the chamber will support me in continuing to press Westminster to take proper account of the severe climate that is experienced in Scotland.

Andy Kerr: What I will not support is the removal of many pensioners from the free central heating scheme, as the Scottish Government plans to do. Many pensioners in need no longer have access to that scheme because of the new conditions that the Government has introduced.

The Weatherwise website, which has been mentioned previously in the chamber, was designed to allow access to local authority emergency telephone numbers but, as we all know, it was not set up until 6 January. Given that it is a website, what account has been taken of the 70 per cent of people over 60 who have never used the internet?

Alex Neil: I correct Andy Kerr: it is not true to say that not all pensioners have access to the energy assistance package. That package consists of four different stages, including assistance with income and benefit maximisation. I think that he was referring to stage 4 of the package, in which we are deliberately targeting our resources at those who are fuel poor, based on the recommendations of the Scottish fuel poverty forum and proposals that were supported by the Labour Party.

Nanette Milne (North East Scotland) (Con): What discussions has the Government had with

charitable and voluntary organisations such as WRVS about the contribution that the third sector can make to helping vulnerable people through a harsh winter such as we are experiencing this year?

Alex Neil: All ministers have on-going dialogue with the third sector, which includes discussion of how it can assist with such programmes. The officials who are involved in the Energy Saving Trust, which delivers the energy assistance package with Scottish Gas, and those who are involved in delivering the home insulation scheme are regularly in touch with third sector organisations to try to reach those whom we are trying to help the most.

As Nanette Milne knows, I have responded to the concerns of Macmillan Cancer Support nurses about cancer patients' eligibility for the energy assistance package and other measures. The fuel poverty forum is considering whether there is any way in which we can effectively help people who are long-term sick and who live in fuel poverty.

Energy Assistance Package

3. Helen Eadie (Dunfermline East) (Lab): To ask the Scottish Executive what percentage of the total central heating installations that have taken place in this financial year were under the Energy Assistance Package commencing in April 2009 rather than the previous central heating programme. (S3O-9702)

The Minister for Housing and Communities (Alex Neil): Of the heating system measures that were delivered up to the end of January, 70 per cent were undertaken as part of our commitment to honour applications under the previous central heating programme. By the end of this financial year, most installations will have been generated by the energy assistance package.

As well as heating measures, we deliver insulation, energy saving advice, increased incomes and lower fuel costs. By the end of January, that had benefited more than 40,000 households throughout Scotland.

Helen Eadie: How many inquirers about the energy assistance package were ineligible for the installation of enhanced measures under stage 4 on the ground that their central heating system works intermittently and has not completely broken down? I ask for the figures to be broken down by local authority area. I have written to the minister numerous times about Mrs Moore of North Queensferry, who is ineligible for that reason, although she is 93 years old and has a heart condition. The minister's officials have told her that she must sit with electric heating should her boiler break down.

Alex Neil: I have dealt with several of my constituents who were not initially approved because their system was working when the inspector visited. I have issued the clear instruction to the Energy Saving Trust and Scottish Gas that, when a system is not working properly or providing the necessary heating—particularly for older people—they must take a sympathetic and flexible approach. If they are in doubt, they should approve a central heating system for people in such a situation.

New Campus Glasgow

4. Pauline McNeill (Glasgow Kelvin) (Lab): To ask the Scottish Executive how many times it has met representatives of the Scottish Funding Council to discuss the New Campus Glasgow complex and proposed merger. (S3O-9722)

The Minister for Skills and Lifelong Learning (Keith Brown): I, my colleagues and Government officials meet the Scottish funding council regularly to discuss a wide range of issues, which include the progress that is being made in developing the New Campus Glasgow project and the proposed merger of the colleges involved.

Pauline McNeill: I was looking for a specific answer that gave the number of times that the minister has met funding council representatives. Two press reports have suggested that the merger has happened. Will he confirm that whether to sign off the merger of the Glasgow colleges is a ministerial decision and not one for the Scottish funding council? What conditions will he set to ensure that the merger benefits students? I want assurances that no reduction will be made in student numbers and that the existing courses, which are good, will continue.

Keith Brown: Pauline McNeill knows that such matters are dealt with through the funding council—that arrangement was inherited from the previous Administration. The funding council's role is first to receive the business case that the colleges are preparing, which should go to the funding council shortly.

If one implication is that the new college requires a grant of more than £50 million—that is extremely likely—ministers will have to sign that off. However, the business case will be discussed first with the funding council, which will consider the future provision of courses throughout Glasgow. A lot of work is being done on that, but it is right for the process to involve dialogue between the colleges and the funding council. Ministers will become involved subsequently.

Sandra White (Glasgow) (SNP): The minister knows of the concerns that unions and others have expressed about the merger. At the beginning, Stow College supported co-location,

but it now has grave concerns. Has he met or does he plan to meet the board of that college?

Keith Brown: The Stow College matters to which Sandra White refers have been substantially discussed with the funding council. At this stage, it is right for discussions to take place between the college and the funding council. If Stow College changed its stance about the proposed merger, that would involve ministers further down the line.

Issues including the future provision of courses at Stow College are being considered. The funding council is undertaking a consultation, to which responses are being made, and I understand that trade unions are involved. I am happy to look at the issue and to give Sandra White further information about exactly how the funding council is proceeding.

Affordable Warmth

5. Karen Whitefield (Airdrie and Shotts) (Lab): To ask the Scottish Executive what steps it is taking to promote affordable warmth in Scotland. (S3O-9732)

The Minister for Housing and Communities (Alex Neil): As well as providing energy saving advice, our energy assistance package helps fuel-poor households in important ways that attack the three causes of fuel poverty. It helps them to increase their incomes by providing benefit checks that deliver, on average, more than £1,300 a year. It helps them to reduce the price that they pay for fuel by accessing social tariffs or cheaper payment methods from the energy companies. It helps them to reduce their use of energy through insulation and draught-proofing to stop their homes losing heat and through efficient heating systems.

We are reducing the cost of heating for many other households, with insulation that is delivered through the home insulation scheme and with energy saving Scotland home loans to replace old and inefficient boilers.

Karen Whitefield: Fewer than 1,000 Scottish households have benefited from the installation of central heating since the Scottish Government changed the eligibility criteria for stage 4 measures under the energy assistance package. That leaves many elderly and vulnerable Scots, such as my 83-year-old constituent in Shotts, living in a cold home. If she lived in Sheffield, she could already have benefited from the boiler scrappage scheme. When will the minister's Government finally announce the eligibility criteria for that scheme and when will the first payments be made?

Alex Neil: Not for the first time, Karen Whitefield is behind the times. The energy assistance package has a boiler scrappage scheme. Where

appropriate, we offer replacement boilers for nothing. Any pensioner who is fuel poor in Shotts or anywhere else and who receives benefits is entitled to stage 4 of the package. It is ridiculous for members to try to mislead constituents about their eligibility for the scheme.

Anne McLaughlin (Glasgow) (SNP): How will the boiler scrappage scheme benefit my constituents in Glasgow? Does the minister agree that it is a bit rich for the Labour Party on its website to criticise the Scottish National Party for what it describes as "finally" agreeing to the scheme and to congratulate itself on forcing us into the scheme when every SNP MSP voted for it in the budget and every Labour MSP voted against it, despite what Karen Whitefield says?

Alex Neil: So that I do not hold up the First Minister too long, I shall give a short answer. I agree with every word that Anne McLaughlin said.

Litter

6. Jamie Hepburn (Central Scotland) (SNP): To ask the Scottish Executive what action is being taken to reduce littering in public places. (S3O-9746)

The Cabinet Secretary for Rural Affairs and the Environment (Richard Lochhead): The Scottish Government funds Keep Scotland Beautiful's annual national spring clean, which will take place again throughout April. As of today—with almost a month still to go—volunteer numbers are already at 36,140, so we are heading for record participation levels. I urge all members to become involved in their local spring clean tidy-up.

Jamie Hepburn: The cabinet secretary will be aware that littering blights many communities. A recent survey that I conducted among my constituents in the Greenfaulds area of Cumbernauld showed that 98 per cent of the respondents felt that littering was a problem. Many people suggested that the ready availability of fast food in the vicinity of the local high school was a major contributor to the problem. Does the cabinet secretary agree that it is important for local authorities to work with local businesses, schools and other community organisations to promote a sense of civic awareness and pride that encourages local residents to keep their areas clean?

Richard Lochhead: I agree. I also urge the local businesses that the member mentions to sponsor their local spring clean and the local organisations that are participating in it. Many schoolchildren across Scotland will be participating in this year's national spring clean.

I support the member's message that all such businesses should be socially responsible and

should work with their local authorities, local schools and others to keep our streets clean.

Getting it Right for Every Child

7. Michael McMahon (Hamilton North and Bellshill) (Lab): To ask the Scottish Executive what progress is being made on the getting it right for every child programme. (S3O-9720)

The Minister for Children and Early Years (Adam Ingram): Real progress is being made in implementing the GIRFEC approach. GIRFEC is the delivery mechanism for the early years framework, for example, and there is no more important work than improving outcomes for children in their earliest years. Highland Council has already rolled out the GIRFEC programme. North Lanarkshire Council, South Lanarkshire Council and the City of Edinburgh Council are committed to implementing the approach next year, and Angus Council is working to have full implementation shortly thereafter.

Michael McMahon: Is the minister aware of the concerns of the Scottish young carers services alliance, which is highlighting the fact that Midlothian Council and Highland Council are reducing their services and the fact that the Moray young carers project is facing significant funding issues? That is just one example of what is being put at risk due to local authority funding cuts.

With young carers already facing poorer outcomes in health, due to additional stress in their lives and the fact that they have to balance care responsibilities with going to school, how can the minister be confident that he is getting it right for every child when young carers projects are being placed in the difficult situation that I have described?

Adam Ingram: I am always concerned about cuts that are made to local services, and young carers are certainly deserving of support. In this Parliament, we all have to understand where those cuts are coming from and who is responsible for them. However, the getting it right for every child programme has already demonstrated tangible benefits to children. For example, in the Highlands, earlier and more appropriate intervention has meant that the rate of children being placed on the child protection register has fallen by half and there has been a decrease in non-offence referrals to the children's reporter of 70 per cent, which means that services are meeting the needs of children in a timely fashion, which is what GIRFEC is all about.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): In light of what the minister has just said, can he reconsider how GIRFEC will approach the issue of looked-after children and those within the state's care? It remains the case

that only about 1 per cent of looked-after children will ever have an opportunity to go to university and study, yet there remains a lack of specific and targeted resources in this area. Indeed, the area appears to be a gap in the single outcome agreements and the Government's concordat with the Convention of Scottish Local Authorities. Will the Government consider having more targeted support for this group of young people whom we are, collectively, letting down?

Adam Ingram: I can give that undertaking to Mr Purvis. Just yesterday, I took part in a meeting of the health inequality task force that focused on the needs of looked-after children and care leavers. Scotland's record of provision for those young people is shameful. Our ambition is that the outcomes for those children should be no different from those of any other children in Scotland.

The Presiding Officer: Question 8 has been withdrawn.

NHS Highland (Meetings)

9. Rhoda Grant (Highlands and Islands) (Lab): To ask the Scottish Executive when it last met representatives of NHS Highland and what issues were discussed. (S3O-9708)

The Deputy First Minister and Cabinet Secretary for Health and Wellbeing (Nicola Sturgeon): I meet all national health service board chairs regularly. I last met the chair of NHS Highland on 22 February at one of those regular meetings, and we discussed a wide range of issues.

Rhoda Grant: The cabinet secretary will be aware of the norovirus outbreak at Raigmore hospital. She might also be aware that there was a delay of five days in making information about the outbreak available to the public. What guidance is available to NHS boards on how they should publicise such outbreaks in order that staff, patients and visitors can take steps to protect themselves and others?

Nicola Sturgeon: Rhoda Grant will be aware that NHS Highland has been under considerable pressure because of the recent challenging weather conditions and because of the incidence of norovirus. The board has assured me that its winter plans remain robust and that it has robust contingency measures in place to safeguard front-line services. I pay tribute to everybody who has been working hard in NHS Highland to ensure that those challenges have not impacted on front-line patient care.

On Rhoda Grant's specific question about guidance, she will recall from recent discussions that, following the *Clostridium difficile* outbreak at Ninewells hospital, I asked the health care associated infection task force to review the

guidance on the circumstances in which health boards should notify the public of outbreaks. I am more than happy to write to Rhoda Grant to make that information and the deliberations of the HAI task force available.

First Minister's Question Time

12:00

Engagements

1. Iain Gray (East Lothian) (Lab): To ask the First Minister what engagements he has planned for the rest of the day. (S3F-2239)

The First Minister (Alex Salmond): Later today, I have engagements to take forward the Government's programme for Scotland.

Iain Gray: Unemployment is growing more quickly in Scotland than in Britain as a whole and 16 to 24-year-olds are the worst affected. In two budgets, we in the Labour Party have argued that giving our young people the skills and jobs they need must be the top priority. The situation for our young people is getting worse, not better. What is the Scottish Government doing to give our young people the skills they need?

The First Minister: As Iain Gray should be aware, the Scottish budget contained funding for a substantial increase in apprenticeships to enable more of our young people, during these difficult economic times, to have the advantages of skills. He will also be aware that colleges and universities received a substantially better settlement this year than, for example, their counterparts south of the border. The evidence in the Scottish budget is of a huge amount of effort across the range of economic initiatives to improve the employment situation in Scotland for young people and everyone else. That makes it all the more remarkable that the Labour Party decided to vote against that budget and those initiatives for Scotland.

Iain Gray: It is crucial that every penny of the budgets that are allocated to support our young people and their skills should be used to the best advantage but, last Friday, Skills Development Scotland staff in Lanarkshire—an area that is particularly badly hit by youth unemployment—were told that 20 per cent of the funding for the crucial get ready for work programme was unused and unspent. That is £800,000 that should have been helping young people into work. How much of the skills budget throughout Scotland is sitting unused and unspent?

The First Minister: The skills budget for Scotland has been substantially enhanced and increased. I am sure that, shortly, Iain Gray will celebrate Skills Development Scotland's announcement on the highly demanding apprenticeships targets that have been reached. The evidence is absolutely clear: there has been an expansion of key initiatives in skills, training and education to help our young people. Given

that the Labour Party pretends to support all those initiatives, what is perplexing to young people and to members of other parties is why on earth Labour members voted against those initiatives in the budget debate only a few weeks ago.

Iain Gray: The First Minister clearly does not know how much of his skills budget throughout Scotland is underspent. The invest in an apprentice scheme, one of the schemes to which the First Minister refers and which gives businesses £1,000 to take on an apprentice, proved popular. Unfortunately, it ran out of money in a fortnight, leaving hundreds of businesses and apprentices disappointed. There is plenty of money for some things, though; tomorrow, SDS will spend £20,000 to fly in hypnotist Paul McKenna to give 260 unemployed youngsters a pep talk.

Apparently, he will hand out signed copies of his bestsellers "Instant Confidence", "I Can Make You Rich" and, of course, the classic "I Can Make You Thin". Is that really the First Minister's strategy to help our young unemployed?

The First Minister: Scotland does not need Paul McKenna when Iain Gray sends it to sleep every week.

Iain Gray says that we do not have the statistics. I will help him by providing some of the key statistics for ScotAction and the drive to help young people in Scotland. ScotAction is investing £145 million to help unemployed people to enter the labour market, to help employees to develop workforce skills and to support those who face redundancy due to Labour's recession. During 2009, £16 million of additional help was provided to support 7,800 additional apprenticeships. Over the next 12 months, the Scottish Government will provide 34,500 training opportunities, 15,000 modern apprenticeships, 14,500 training places and 5,000 new flexible training opportunities. We have launched the 16-plus learning choices, which guarantee entitlement to a place in learning and training to any young person who requires that at present. Those are the substantial initiatives that the Government is taking forward. What perplexes everyone in Scotland is why every Labour MSP voted against that help for our young people in Scotland.

Iain Gray: I presume from that hypnotic recitation of numbers that the First Minister has finally found the right page in his briefing.

The point is that the budgets to which he refers are not being spent or used properly. One in five of our young people leaves school with literacy problems. Would it not be better to give them more literacy training, instead of a stage show at Hampden tomorrow? What is Paul McKenna going to do—hypnotise them into believing that they

have a job, a future and a chance in life? Twenty thousand pounds could have opened up 20 more apprenticeships. Alex Salmond is the illusionist here, fooling Scotland and failing our young people. It is time he looked deep into the eyes of the Cabinet Secretary for Education and Lifelong Learning, Mr Russell, and told him to get this shambles sorted out.

The First Minister: Paul McKenna will be asked to run an additional course on how to be an Opposition leader and not read out my funny lines in rote fashion.

Statistics are quite important, as they are the basis on which a budget proposition is put together. Iain Gray has not questioned the numbers that I cited showing the tens of thousands of people around Scotland who will be helped through Labour's recession by the action of the Scottish National Party. Those are the facts that Iain Gray does not want to acknowledge or accept, because no one can understand why the Labour Party voted against them in the budget. The SNP Government and a number of parties represented in the chamber decided to vote for the budget precisely because it helps young people and others in Scotland who are suffering the effects of Labour's recession. The Labour Party is not only culpable for causing the recession; it is doubly culpable for refusing to support measures to help people through its recession. That is why no amount of coaching or training will ever turn Iain Gray into an effective politician.

Prime Minister (Meetings)

2. Annabel Goldie (West of Scotland) (Con):

To ask the First Minister when he will next meet the Prime Minister. (S3F-2240)

The First Minister (Alex Salmond): I have no plans to meet the Prime Minister in the near future.

Annabel Goldie: Freedom of the press and the independence of broadcasters are key pillars of a democratic society. The First Minister is under suspicion of undermining those pillars and using taxpayers' money to compromise the impartiality of Scottish Television. That is why, yesterday, the Office of Communications launched an official investigation into the affair. The issue is causing concern and the First Minister must be totally transparent.

Indeed, we got "full disclosure" from the Government yesterday. It revealed that it has spent £625,000 of taxpayers' money on sponsoring programmes on STV. We know that other money is spent on advertising, but has any more taxpayers' money been spent by the Government or its agencies on sponsoring programmes? Can the First Minister confirm that yesterday's statement was full disclosure?

The First Minister: The figure is £618,000 according to my notes, and it was certainly disclosure.

The point about the statement is that there was a demand from another Opposition leader—Iain Gray—to reveal how much money the SNP has given STV since 2007. The Scottish Government allocated and spent a budget of £618,000 for sponsoring programmes. One interesting fact in the disclosure—presumably, this was unknown to Iain Gray when he demanded it—was that, although that is a substantial sum, it is half as much as was spent by the previous Labour Administration. I know that Annabel Goldie relished there being full disclosure in our answers and that she was not responsible for the previous Administration, but now that that fact has been fully ventilated perhaps it will allow her to put into context some of the rather absurd suggestions to which she seemed to allude.

Annabel Goldie: I asked the First Minister whether we have been given full disclosure on Government expenditure on sponsoring programmes. His response, if I may say so, is both intriguing and troubling. I have here a document from Scottish Natural Heritage that confirms that more taxpayers' money was used to sponsor other programmes on STV. That begs the question what else the First Minister is hiding and how much more taxpayers' money has been spent. Why is he not being transparent? Is there anything else that he needs to reveal after his so-called "full disclosure" yesterday? For example, I have here an example of the Government's response to freedom of information requests from the *Sunday Express*. It is pretty obvious that not much information is being disclosed. Indeed, I think that, for the First Minister, FOI must stand for "full of ink". Will he undertake this afternoon to issue unredacted documentation to take us at least one step closer to full disclosure?

The First Minister: Let me see whether I can help Annabel Goldie with full disclosure by giving her the breakdown of the Government's expenditure on sponsoring programmes on STV. In 2009-10, £18,000 was spent on the children's panel programmes. In 2009-10, we sponsored "Make Me Happier"—something that I try to do myself at every possible opportunity—which was a series of programmes to promote the well-being of Scots, fronted by Lorraine Kelly, that looked holistically at how exercise and so on can help our mental state. That is something that I try to do as well.

In addition, £150,000 was spent on the homecoming series. I recently, for the first time, saw two of the programmes—which, incidentally, were watched by 2.517 million Scots, or more than half the population, which seems a considerable

success for Scottish programming—but I had nothing to do with their content. I am not, therefore, in a position to apologise for the fact that one of the programmes was introduced by Alastair Campbell playing the bagpipes—it was not a sinister attempt to undermine the credibility of the Labour Party in Scotland—or that Sir Menzies Campbell chaired the judging panel on another. Nor am I responsible for Charles Kennedy introducing another of the programmes—which was not an attempt to remind people that the Liberal party once had an outstanding leader who used to get lots of votes. None of those things was my responsibility. All I was trying to do was encourage more Scottish programmes and more Scottish jobs so that Scotland and homecoming could be increasingly successful.

With that assurance, will Annabel Goldie please accept that that is a perfectly acceptable and proper way to spend public money in Scotland?

Cabinet (Meetings)

3. Tavish Scott (Shetland) (LD): To ask the First Minister what issues will be discussed at the next meeting of the Cabinet. (S3F-2241)

The First Minister (Alex Salmond): The next meeting of Cabinet will discuss issues of importance to the people of Scotland.

Tavish Scott: This week is Scottish tourism week. Last night, in the Parliament, industry leaders predicted that 2010 will be a tougher year. Extra burdens on Scottish tourism could cost jobs and businesses. Why, then, are so many Scottish hotels facing an increase in their business rate bills from 1 April—they are way above inflation? Their business turnover is being hit in these tough economic times but their business rate bills are going up by 20 per cent, 40 per cent, 80 per cent and even 120 per cent. Does the First Minister think that that is fair?

The First Minister: As Tavish Scott should well know, rating valuation is done by independent assessors, not by the First Minister or the Government. What the Government has done, of course, is drive down business rates in Scotland. The small business bonus scheme is incomparably the best deal for small businesses anywhere in these islands. Furthermore, the rating valuation position between Scotland and the rest of the UK is at its best level ever in favour of Scottish business. Given that range of actions that the Government is taking forward, some of which were supported by the Liberal Democrats, surely Tavish Scott will have to accept that the promotion of Scottish business has been a central aspect of this Government. We do not control the independent valuer, nor should we.

Tavish Scott: The information is on the First Minister's Government website. I was not asking the First Minister about general business rates, but about the detail of hotels in Scotland. We should look at the bills that they face in just three weeks' time: Stobo Castle will get a £25,000 increase in its bill; Prestonfield House in Edinburgh will get a 70 per cent increase; and the Queens Hotel in Lerwick will have to pay 65 per cent more. Let us look at the hotels where the Cabinet stayed during its summer tour last year: Malmaison in Aberdeen, the Apex in Dundee, the Radisson SAS in Glasgow, The Townhouse Hotel in Melrose, and—for the First Minister—Dryburgh Abbey Hotel. The increase in business rates that those hotels will have to pay in the new year are respectively 42 per cent, 59 per cent, 43 per cent, 31 per cent and 120 per cent. Will the Government change its mind and help Scottish hotels that are facing these eye-watering increases?

The First Minister: Tavish Scott should accept that the valuations of individual premises were carried out not by the First Minister but the independent assessor who rates individual businesses. That is how the system works. If Tavish Scott believes that the First Minister or Mike Rumbles or anyone else should get into the business of saying what individual properties should be valued at, he would introduce an innovation into the rating system that would be unprecedented in the developed world.

I remind Tavish Scott of the things the Government is responsible for. The 2010-11 business rate poundage is 40.7p. It matches that of England and is the lowest national poundage ever set in Scotland. As a result, the overall benefit to Scottish businesses in this coming year has been estimated at more than £200 million. The package of reliefs that has been introduced is worth a further £2.4 million over five years. It is the most generous package in the United Kingdom and includes an expansion of the small business bonus scheme. Following revaluation, 60 per cent of Scottish businesses will be better off, with an average saving of more than £1,000. Given that Tavish Scott is criticising the independent valuation of the rating assessors, what will he say to the 60 per cent of businesses that will be better off or to the Federation of Small Businesses, which has supported enthusiastically the initiatives that this Government is taking forward?

The Presiding Officer (Alex Fergusson): I will take a constituency question from Willie Coffey.

Willie Coffey (Kilmarnock and Loudoun) (SNP): I am sure that the First Minister will share my concern about the evidence that is emerging from the fatal accident inquiry into the tragic death of my constituent, Alison Hume, in Galston. Will he ensure that the Scottish Government will review

the health and safety guidance that the emergency services operate so that saving lives is always the priority and that that is reflected clearly in any revised guidelines?

The First Minister: I thank the constituency member for raising this important matter, which has caused great public concern. It is a tragic incident for all concerned. Given that it is the subject of a fatal accident inquiry, it is inappropriate for me to comment on the detail of the incident at this stage. However, subject to the disclosure of the findings, it will be important that lessons are learned and acted upon. Health and safety regulations are, of course, a reserved matter. That said, they impinge on services that are within the devolved remit.

I can advise that work involving the Health and Safety Executive and the Chief Fire Officers Association on the development of a high-level statement to clarify how health and safety law duties should be complied with in the operational work of the fire and rescue service has been going on for some time. I confirm that the Scottish fire and rescue advisory unit will take part in the launch of that statement on Friday 12 March and that a similar event for the Scottish fire and rescue service shortly thereafter is being planned.

Karen Whitefield (Airdrie and Shotts) (Lab): Last week, the First Minister urged the National Union of Rail, Maritime and Transport Workers and ScotRail to resolve what he described as "an unnecessary dispute." I have with me a letter that states that the decision to run driver-only trains on the new Airdrie to Bathgate rail link is one for Transport Scotland. That means that, ultimately, it is a decision for ministers. I am sure that the First Minister did not wish to give a misleading impression to Parliament. Can he confirm that it is a decision for Transport Scotland, and can he tell the Parliament what action his Government will take to resolve the dispute?

The First Minister: Last week, I said that the Government was concerned about the safety arguments that the RMT had made. As a result of a meeting, we did two things. First, we asked Transport Scotland to check with three safety bodies about the operation of driver-and-ticket-examiner trains. The replies that came back indicated that those bodies did not have safety concerns. That should not have been a surprise to Karen Whitefield, because—

Karen Whitefield: That is not what I was asking about.

The First Minister: I pointed out last week that about 60 per cent of services that run in Scotland run on that basis. The previous Administration operated and launched services on that basis.

Karen Whitefield: What I was asking—

The Presiding Officer: Order.

The First Minister: The Government is taking the points that the RMT made extremely seriously.

There is to be a further meeting between the Minister for Transport, Infrastructure and Climate Change and the union. Matters of safety—even when we have been assured that they have been examined and that they are satisfactory—are something that we take very seriously, and that is part of the Government's role and responsibility.

I again urge a resolution to the dispute, because it is an unnecessary dispute—but that is properly a matter for ScotRail and the RMT.

Alcohol Consumption (Pregnancy)

4. Jamie Hepburn (Central Scotland) (SNP): To ask the First Minister how the Scottish Government plans to tackle the problem of alcohol consumption during pregnancy. (S3F-2251)

The First Minister (Alex Salmond): The Scottish Government's alcohol framework outlines a package of measures to tackle alcohol misuse in Scotland. They include legislative measures that are being developed in the Alcohol etc (Scotland) Bill, particularly action on minimum pricing and on irresponsible promotions, that are supported by the National Society for the Prevention of Cruelty to Children, ChildLine, Children 1st, the Aberlour Child Care Trust, YouthLink Scotland, Barnardo's Scotland, Action for Children Scotland, Quarriers and Parenting across Scotland. The bill is complemented by a range of non-legislative measures that include targeted action on foetal alcohol spectrum disorder and it is backed by record investment, totalling almost £100 million over three years, in treatment and support services.

Jamie Hepburn: The First Minister will be aware that Dr Harry Burns, the chief medical officer, has said that he believes that the incidence of foetal alcohol spectrum disorder in Scotland has been significantly underestimated. Given the impact that the condition can have on the unborn child and noting the report from Children in Scotland on the matter, does the First Minister agree that the problem demonstrates yet again why all parties represented in the chamber should be united on taking action on alcohol abuse?

The First Minister: A team is being put in place to work on foetal alcohol spectrum disorder. Part of that work will focus on the prevention of alcohol-exposed pregnancies and on the promotion of healthy pregnancies. A pack of resources on alcohol interventions in the antenatal setting has been developed, and it will be issued to every national health service board by the end of this month.

Jamie Hepburn has made a point about how alcohol misuse can affect unborn children in particular. As we know, and as we must accept, alcohol misuse goes through the range of society.

It has a range of dreadful effects on public order and on the public health of Scotland. In those circumstances, it behoves everyone in the Parliament to respond to the scale of the challenge by examining outwith the normal argy-bargy of party politics the measures that the Government is proposing. This issue above all is an example of what is right, as opposed to who is right.

Ross Finnie (West of Scotland) (LD): Does the First Minister agree with Children in Scotland's submission on foetal alcohol syndrome and foetal alcohol spectrum disorder to the House of Commons Health Committee that accurate measurement of the incidence of the conditions can occur only after there is a critical mass of health practitioners who are able to make the diagnosis correctly? What steps is the Government taking to create such a critical mass?

The First Minister: Ross Finnie's question is perfectly fair. I know that he recognises the specifics of the action on FASD that I have just listed. As a general proposition, his point seems reasonable; the work of the team that has been put together to undertake specific work on foetal alcohol spectrum disorder is therefore all the more important.

Abdelbaset Ali Mohamed al-Megrahi (Status)

5. Dr Richard Simpson (Mid Scotland and Fife) (Lab): To ask the First Minister whether the Scottish Government will provide an update on the status of Abdelbaset Ali Mohamed al-Megrahi. (S3F-2257)

The First Minister (Alex Salmond): Mr al-Megrahi remains terminally ill with incurable prostate cancer.

Dr Simpson: On 12 January, the Cabinet Secretary for Justice told the Scottish Affairs Committee in Westminster that Mr Megrahi was "alive and well". In his other responses to the committee, there was no hint of regret from Mr MacAskill about any aspect of the handling of the entire affair. Since January, the Scottish Parliament's Justice Committee has produced a report that was highly critical of many aspects of the process. Would the First Minister now like to offer any words of apology or comfort to those relatives of the Lockerbie victims who were, and continue to be, distressed by his Government's decision and the process by which it was reached?

The First Minister: I believe that Mr MacAskill took the right decision for the right reasons, which

are the reasons that were articulated at the time. They have been explained and promoted as sensitively as possible and in a way that, as far as is possible in such matters, has avoided unnecessary party politicking.

I attended the meeting of the Scottish Affairs Committee to which Dr Simpson referred and do not agree that the tenor of the submissions was anything like what he suggested. Whatever people think about the decision, it should be recognised that there was no ulterior or other motive for Mr MacAskill's decision other than the criteria that he established and outlined in his statement to the Parliament.

Since our initial debates on the matter, we have had some clarity on the United Kingdom Government's position. The UK Government has maintained that the decision was not for it to make but has said, in the words of the Foreign Secretary in the House of Commons:

"British interests, including those of UK nationals, British businesses and possibly security co-operation, would be damaged ... if Megrahi were to die in a Scottish prison".— [Official Report, House of Commons, 12 October 2009; Vol 497, c 31.]

Given that statement, Richard Simpson should consider carefully the great benefit of the justice secretary of Scotland making a decision based on Scottish judicial principles and no other criteria whatever.

Sex Offenders Disclosure Scheme

6. Robert Brown (Glasgow) (LD): To ask the First Minister when the Scottish Government will roll out its proposed plans for a sex offenders disclosure scheme. (S3F-2245)

The First Minister (Alex Salmond): The roll-out of the Tayside disclosure pilot will, for the first time, empower parents, carers and guardians to access the information that they need to keep children safe. I expect a phased roll-out to begin in the autumn, after publication of the evaluation that this Administration commissioned.

Robert Brown: I welcome the Tayside pilot's reported success to date, but does the First Minister agree that it is a difficult policy area with many complex concerns? For example, the scheme provides for action when there is no criminal record of sexual offences but there are other reasons why the police might be worried about the safety of particular children. That is obviously proper, but it raises the possibility of innocent people being scapegoated. Given that the Cabinet Secretary for Justice has already agreed, as the First Minister's statement confirms, to roll the scheme out across Scotland months before the pilot has finished and before its evaluation, will the First Minister say whether any

difficulties have arisen during the pilot that mean that changes to the current arrangements need to be made?

The First Minister: I accept of course that the Tayside pilot does not end until May 2010—I think that the evaluation of the pilot is due out in August this year—but I do not think that that should stop us from examining the experience that we have had with the pilot scheme in Tayside since it was introduced last September.

The experience to date not only allays many of the fears about civil liberties that Robert Brown has expressed but justifies the decision to prepare for the pilot's roll-out across Scotland. Robert Brown is not alone in questioning such an initiative, but he should accept the analysis so far. For example, Assistant Chief Constable Iain Livingstone holds the public protection portfolio for the Association of Chief Police Officers in Scotland, and ACPOS is as aware as anyone else of the concerns that Robert Brown has articulated. Iain Livingstone has said:

"The police service in Scotland welcomes the decision to bring forward the implementation of the sex offender disclosure scheme throughout Scotland."

That statement was made on the basis and experience of the pilot scheme so far.

12:30

Meeting suspended until 14:15.

14:15

On resuming—

Scottish Executive Question Time

Finance and Sustainable Growth

The Presiding Officer (Alex Fergusson): Good afternoon. The first item of business this afternoon is themed question time. The whole session will be given over to questions on finance and sustainable growth. Question 1 is from Christopher Harvie.

It is regrettable that Christopher Harvie is not here. I therefore move to question 2, from Mike Pringle.

Gilmerton Core Store

2. Mike Pringle (Edinburgh South) (LD): I am glad to say that I am here, Presiding Officer.

To ask the Scottish Executive what notice it was given of the British Geological Survey's proposal to relocate the national offshore oil and gas core store facility based at Gilmerton in Edinburgh to Keyworth in Nottinghamshire. (S3O-9684)

The Minister for Enterprise, Energy and Tourism (Jim Mather): The Scottish Government did not receive any notice of the British Geological Survey's proposal to relocate the Gilmerton core store facility to Keyworth in Nottinghamshire. We became aware of the BGS's decision following the publication of its report on 24 September 2009. Since then, we have expressed our concern about the proposal direct to the BGS on a number of occasions, including at a meeting on 25 January 2010. We remain concerned and we plan to hold further discussions on the matter.

Mike Pringle: I appreciate that the minister shares many of my concerns about both the proposed relocation and the business case on which it is predicated. The Edinburgh facility is largely purpose built and it has decades of spare capacity. A recent poll by the Petroleum Exploration Society of Great Britain revealed that 70 per cent of its interested members were in favour of retaining the store in Edinburgh, and there is also widespread academic opposition to the relocation.

Two important outstanding issues are what costs the British Geological Survey attributes to keeping the core store in Edinburgh as opposed to its transfer, and whether it has factored in to the business case funding for the transfer of the fragile core store, which is estimated to be worth between £3 billion and £5 billion. I sent the minister some interesting information today about what the BGS

thinks the cost would be. Perhaps he could comment on that, and as well as that—

The Presiding Officer: I must hurry you, Mr Pringle.

Mike Pringle: Will the Scottish Government seek an urgent meeting with the management of the British Geological Survey to examine the serious concerns that are shared by a wide range of stakeholders regarding the business case for the proposed relocation?

Jim Mather: I share Mr Pringle's analysis and his concern about the costs. When we met the executive director of the BGS, Professor John Ludden, on 25 January, we made clear our concerns, which echo Mr Pringle's. At that meeting, the BGS agreed to hold a stakeholder engagement session, which I would facilitate, to allow Scotland-based users an opportunity to participate in an open and inclusive discussion. We are pressing the BGS to honour that commitment.

There are a number of concerns about the proposed move, including about the lack of effective consultation, subsequent use of opinion, concerns about cost, and the clear impact that it would have on teaching and research, together with concerns about the assumptions and assertions that the BGS has made. We wish it to reconsider its decision and we are doing all that we can to urge it to reflect on and change its view.

Brian Adam (Aberdeen North) (SNP): What action has the Government taken as a consequence of the poll by the Petroleum Exploration Society of Great Britain, which is the professional body for practicing geologists? The poll clearly demonstrates widespread opposition to the transfer and to the complete failure of the so-called consultation to engage with that key group of stakeholders.

Jim Mather: We have noted the results of the poll of PESGB members, which shows that 89 per cent of active users are against the move. We believe that the views that were raised reinforce our concerns about the proposed move and, in particular, about the failure properly to consult users of the Gilmerton core store. We are liaising with a number of users and urging the BGS to meet stakeholders to engage fully and address the concerns. I am grateful for the cutting that I have been given from The Press and Journal in which Jeremy Cresswell eloquently summarises a proposition that I think everyone in the Parliament is behind.

John Scott (Ayr) (Con): On a point of order, Presiding Officer. Can you give members advice on how they might ask supplementary questions when other members who have the primary question are not here in time to pose it?

The Presiding Officer: As I have said before, I am afraid that they cannot. That is one of the regrettable knock-on effects of members not being here on time. I am aware that you wished to ask a supplementary to question 1, but I am afraid that that cannot be done.

Union Terrace Gardens

3. Lewis Macdonald (Aberdeen Central) (Lab): To ask the Scottish Executive whether regeneration of Union Terrace gardens in Aberdeen is a matter for Scottish Enterprise or for Aberdeen City Council. (S3O-9718)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Decisions on the future development of Union Terrace gardens in Aberdeen are a matter for Aberdeen City Council in its leadership role, working with its community planning partners, including Scottish Enterprise.

Lewis Macdonald: The cabinet secretary will be aware of yesterday's statement by the leader and deputy leader of Aberdeen City Council that

"there are no proposals for the council to commit expenditure to the development",

which is currently being consulted on by Aberdeen city and shire economic future. Does he agree with them that it is for the Scottish Government to put up any public funding that might go into that project? If so, how and when might such funding be delivered?

John Swinney: As Mr Macdonald knows from the discussion that we had some weeks ago in my office, along with other members who represent north-east constituencies, the Scottish Government takes the view that it is a matter for the citizens of Aberdeen to address whether the Union Terrace gardens development is an approach that they wish to take. I understand that a public consultation on that question is under way. The proposals that ACSEF has set out are very ambitious and would involve participation by a range of organisations. The Scottish Government would certainly be happy to take part in discussions around those issues. As I said in my original answer, Scottish Enterprise is, of course, a participant in ACSEF as, I might add, are Aberdeen City Council and Aberdeenshire Council. My point about the importance of the issue being developed at local level is key in the development of proposals for Union Terrace gardens.

Nanette Milne (North East Scotland) (Con): Should it be decided to pursue the proposed city square scheme to redevelop Union Terrace gardens, can the cabinet secretary suggest any particular sources of funding that could be accessible to the project?

John Swinney: As Nanette Milne will know, the Government makes a range of interventions in regeneration activity. Scottish Enterprise takes forward different initiatives in relation to the implications of regeneration, leading to commercial development. Those opportunities can be discussed by the partners who are responsible for taking forward the Union Terrace gardens proposal and by the relevant bodies in the public sector.

Brian Adam (Aberdeen North) (SNP): The cabinet secretary might wish to elaborate further on that. In particular, if the city square project gathers sufficient public support to proceed, how could any public finance, other than direct Aberdeen City Council or Scottish Government finance, be achieved? Could that mechanism be available for other public projects in Aberdeen?

John Swinney: I should have said in response to Dr Milne that significant private sector funding has been pledged to the development by Sir Ian Wood, which is a welcome contribution to the regeneration of the city of Aberdeen. As I said to Dr Milne, there are a range of opportunities, through the Government's regeneration work and the work of Scottish Enterprise, to take forward such developments. We have to consider specific proposals when they emerge. As I indicated in my answer a moment ago, I have had some discussions with members who represent north-east constituencies and I am happy to have further discussions in due course.

Coalfields Regeneration Trust

4. Cathie Craigie (Cumbernauld and Kilsyth) (Lab): To ask the Scottish Executive whether the Cabinet Secretary for Finance and Sustainable Growth is planning to renew funding for the Coalfields Regeneration Trust, which expires at the end of March 2011. (S3O-9700)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): I can confirm that all future expenditure plans beyond March 2011 will be subject to the next spending review. The issue that Cathie Craigie raises will be considered at that time.

Cathie Craigie: The Coalfields Regeneration Trust is a charitable organisation that benefits many groups in Scotland, including the Cumbernauld and Kilsyth unemployed workers centre in my constituency. It is understandable that the CRT is worried about funding after March 2011 and that the Cumbernauld and Kilsyth unemployed workers centre is concerned that without CRT grant it will face financial difficulty. I appreciate that a spending review is coming up, but can the cabinet secretary tell me whether the CRT will again gain backing from the Scottish Government?

John Swinney: Cathie Craigie's supplementary question indicates that she accepts some of the constraints under which I operate in the context of my ability to provide a definitive answer to her question. As she knows, the Scottish Government does not yet know what financial settlement will be at our disposal for the period beyond March 2011. It is in the public domain that there will be significant constraints on public expenditure—we have heard those forecasts from the Treasury—so it would be inappropriate of me to give particular commitments.

The work of the Coalfields Regeneration Trust, which has been supported by the previous Administration and by the current Administration, has been significant in assisting the regeneration of areas that were previously dominated by coal mining activity, including in many parts of the constituency that Mrs Craigie represents. The CRT's work is appreciated by the Scottish Government.

Small Business Bonus Scheme

5. Nigel Don (North East Scotland) (SNP): To ask the Scottish Executive how many businesses in Aberdeen and Aberdeenshire will benefit from the extension to the small business bonus scheme after 1 April 2010. (S3O-9739)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Last year, 5,000 properties in Aberdeen and Aberdeenshire—more than a quarter of all business properties—paid no rates at all under the small business bonus scheme. From 1 April, about 300 more business properties in the area are likely to benefit from the expansion of the scheme. That is, of course, only one element in an overall rates relief package that is worth some £2.4 billion over the next five years.

Nigel Don: In the context of the general payment of rates in Aberdeen, will the cabinet secretary outline his thoughts on tax incremental funding, perhaps for projects in Aberdeen such as the Union Terrace gardens project or combined heat and power plants?

John Swinney: The tax incremental financing model presents many opportunities for expanding the revenue base at local level. I have asked the Scottish Futures Trust to work with a number of local authorities in Scotland to develop tax incremental financing models. That work is being taken forward and I expect to receive the results in due course. The proposal has significant merit.

Andy Kerr (East Kilbride) (Lab): In his first response to Mr Don, the cabinet secretary was clear about the number of businesses that benefit from the small business bonus scheme. However, is he aware of the number of businesses in

Aberdeen and Aberdeenshire that are losing out as a result of a large increase in their rates burden and the lack of transitional relief that is available in other parts of the United Kingdom? Does he accept that the late setting of rates and the high rate of increase in rates for some of Scotland's larger businesses is having a detrimental impact, not just on business planning but on jobs and the wellbeing of businesses?

John Swinney: As the First Minister said today, 60 per cent of businesses in Scotland will benefit from a valuation settlement that reduces their valuation. As a consequence of the Government's manifesto commitment to ensure that the business rate poundage in Scotland was set no higher than the business rate poundage in England, which we have honoured, we have delivered a settlement that results in a saving for businesses of approximately £220 million.

I accept that some businesses face increases in their valuations. They are entitled to appeal the valuations, which have been arrived at by independent valuation personnel around the country. It is quite proper for businesses to advance their positions, which the valuations service will consider in the appropriate way.

INCREASE III Funding

6. Cathy Peattie (Falkirk East) (Lab): To ask the Scottish Executive what discussions the Cabinet Secretary for Finance and Sustainable Growth has had with the Cabinet Secretary for Rural Affairs and the Environment with regard to the percentage of waste prevention projects funded by investment in community recycling and social enterprise III to be terminated in 2010. (S3O-9728)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): I have had no discussions with the Cabinet Secretary for Rural Affairs and the Environment on the issue.

Cathy Peattie: Following a delayed start, the communities reducing excess waste project was launched in November 2008, and it has gone from strength to strength. Given the Government's climate change targets, surely CREW is not the kind of initiative that should be cut. It must be supported and the funding should not be cut halfway through the project. Will the cabinet secretary please review that decision?

John Swinney: It would be appropriate for me to pass the issue to the Cabinet Secretary for Rural Affairs and the Environment, who carries operational responsibility for that programme. According to the information that I have in front of me, the CREW project has not delivered on the performance target that was agreed at the outset. I see that Cathy Peattie is shaking her head. If the

information that I have in front of me is incorrect, she should write to the Cabinet Secretary for Rural Affairs and the Environment. I am sure that he will consider her points.

I suspect that the question was asked in case it is me that it cutting the budget. I should make it clear that the issue is about the project's performance and not an accusation about my conduct concerning the size of the budget.

Transmission Charges

7. Shirley-Anne Somerville (Lothians) (SNP):

To ask the Scottish Executive what its position is on the recommendation on transmission charges in the House of Commons Energy and Climate Change Committee report, "The Future of Britain's Electricity Networks". (S3O-9756)

The Minister for Enterprise, Energy and Tourism (Jim Mather): The existing transmission charging regime for use of the Great Britain grid network means that generators in Scotland pay the highest transmission charges in the United Kingdom. Scottish ministers believe that that works against the development of clean renewable energy in Scotland. We believe that the locational charging methodology applied by Ofgem and the National Grid needs to change to help deliver the transition to a low-carbon economy and help Scotland to play its part in meeting European Union and UK climate change targets.

We therefore welcome the concerns that such an influential UK committee is expressing about locational charging, and we fully support its recommendation that the Department of Energy and Climate Change should establish an independent review of transmission charging. We continue to press UK ministers to undertake that independent review quickly, and based on the positive work that we already have in hand on changing the minds of Ofgem and the National Grid.

Shirley-Anne Somerville: Like the minister, I welcome the report and many of the key recommendations that he has highlighted. Have we yet received any indication from DECC about whether it will accept the committee's recommendations, particularly on the manner in which the network charging regime discriminates against wind generators, and the recommendation that an independent review should look again at whether locational charging is an appropriate system? If we have not heard from DECC yet, will the minister undertake to continue to press for a positive response to those recommendations?

Jim Mather: We are already working closely and productively with DECC. The First Minister and I have argued, and will continue to argue, strongly and consistently about the need to

change the current transmission charging system. As a result, National Grid is now considering a charging methodology for wind generators that could significantly reduce the transmission costs that it faces. We are also now working on other charging options.

However, it is significant that such an influential UK committee shares our concerns about transmission charging and has highlighted that charging

"should not discriminate against renewable energy wherever it is located in Britain."

That shows that the UK Parliament is listening to the arguments, as are, I trust, others.

Lewis Macdonald (Aberdeen Central) (Lab):

As the minister said, he is aware that transmission charges for intermittent electricity generators are currently under review on the ground that their take-up of transmission is around half that of fossil-fuel power stations. What level of reduction in charges does he believe that could bring to the wind energy sector in Scotland? Is he making representations on behalf of the Scottish Government in relation to that review?

Jim Mather: Rather than picking a specific number, we are determined to achieve a materially beneficial position. The member knows that we ran a session that brought together Ofgem, National Grid, Scottish academia, Scottish utilities, Scottish renewables interests and the Scottish Government in one room. We now plan to make sure that we bring others, including DECC and generators from other locations in the UK, into that room as we go forward.

I wrote to UK ministers on 25 February to support the committee's call for an independent review of transmission charges. We will continue to press for that and for positive outcomes that result in a better deal for Scottish generators.

Scottish Futures Trust

8. James Kelly (Glasgow Rutherglen) (Lab):

To ask the Scottish Executive what cost savings have been delivered by the Scottish Futures Trust. (S3O-9711)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The Scottish Futures Trust is working with a range of public sector organisations to deliver substantial value-for-money savings across a number of areas, including transport, schools, community infrastructure, regeneration and affordable housing. Full details of the savings that are achieved will be reported in the SFT's annual report for 2009-10, which will be published later this year.

James Kelly: The strategic business case for the SFT stated that it would save £150 million. In reality, it has delivered nothing and is paying £400,000 to consultants. Does the cabinet secretary agree that it is the most expensive job creation scheme in Scotland, which is paying overinflated salaries and stuffing consultants' pockets full of public money?

John Swinney: No—I do not agree with that point of view.

James Kelly: I am not surprised.

John Swinney: No matter how many times Mr Kelly asks the question, I will not agree with him on that point.

As I said, the Scottish Futures Trust is working on a range of projects, which includes the work that I mentioned earlier on tax incremental financing, and the work on the schools programme, the hub partnership, the Borders rail line—on which work started yesterday—and the procurement of the NHS Tayside non-profit-distributing project on mental health. The SFT is actively involved in a range of different projects and is working to deliver value for money for the taxpayer.

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): How much is expected to be saved on the Borders railway as a result of the SFT's involvement?

John Swinney: As I said in my answer to James Kelly, any savings that are delivered by the SFT will be reported in the annual report, which is the proper and orderly place in which to put such information in the public domain.

Andy Kerr (East Kilbride) (Lab): Does the cabinet secretary agree that the expensive quango that he has created simply reflects the role of the senior civil service prior to the SFT's establishment? The aggregation of contracts, the legal documents, the insurances and other procedures—as well as projects such as the hub, the schools project and others—were all previously handled by the civil service.

The SFT is a fig leaf to address the SNP's manifesto commitment to set up a not-for-profit trust in Scotland, and it simply does not work.

John Swinney: There have been a number of contributions to the debate on the procurement activities regarding the most recent round of private finance initiative projects that were set up around the country. Lack of aggregation was one of the major criticisms about the way in which those projects were procured—a criticism that came not from me, but from Audit Scotland.

The National Audit Office—I accept that it has a wider canvas on such questions—warned in

November last year that the value for money of 43 major projects with a combined worth of £200 billion was at risk because of significant weaknesses in the Government's commercial skills and expertise. That is a United Kingdom report, but it is important that we understand the point that it makes in order to guarantee that we maximise the opportunities to deliver value for money, which is exactly what the Scottish Futures Trust does.

Local Government Finance (Third Sector)

9. Sarah Boyack (Edinburgh Central) (Lab):

To ask the Scottish Executive what assessment it has made of the impact of the local government finance settlement for 2010-11 on the third sector. (S3O-9696)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The local government finance settlement for 2010-11 of £12 billion has increased local government's share of the overall Scottish budget to 34.1 per cent, which is up from 33.4 per cent in 2007-08 when the Government took office. It is for local authorities to use that funding to meet the needs of their communities and deliver the outcomes in their single outcome agreements.

I am confident that local authorities recognise the benefits to the community that accrue from using the third sector to design and deliver local services.

Sarah Boyack: Is the cabinet secretary aware that, on 11 March, every council department in the Scottish National Party and Liberal Democrat-led City of Edinburgh Council is expected to slash grants and reduce support to countless organisations that provide vital community services? The predicted £1 million of cuts will have a devastating effect on groups, services and third sector organisations that provide essential services to our communities.

Will the cabinet secretary, in light of his answer to my first question, assure us that the Scottish Government will intervene where funding arrangements and relationships between local government and the third sector do not reflect the areas of agreement in the joint statement on local government and the third sector, which the Scottish Council for Voluntary Organisations highlighted in its February 2010 report?

John Swinney: The local government settlement would have represented a larger cash sum if we had not had to reduce our budget by £500 million, at the direction of the United Kingdom Government. That is the hard, inescapable reality of what faces the Scottish Government and local authorities.

Before we embarked on the budget settlement for 2010-11, we conducted discussions bringing together the SCVO, the Convention of Scottish Local Authorities and the Government to agree an approach that valued third sector funding and activity in Scotland. That has been signed up to by the Government, by local authority partners and by the voluntary sector. I expect local authorities to take due account of that as they pursue their decisions on service provision.

It is important that we recognise the significant role that the third sector can play in the development and delivery of public services, and I encourage local authorities to take that approach as we all face up to very difficult financial challenges.

Derek Brownlee (South of Scotland) (Con): Many voluntary groups across the country feel that the principles of the joint statement are not being followed in practice. Given what the cabinet secretary has just said, what recourse do voluntary organisations have if they believe that the principles that were set out and agreed by the Scottish Government, local government and the SCVO are not being followed? What action can those organisations take that would actually lead to some of the issues being addressed?

John Swinney: I have made it absolutely clear to the Scottish Council for Voluntary Organisations—as I do to any third sector platform that I address—that the Government is very open to dialogue and discussion about all these questions, including performance on the commitments that have been agreed to under the statement to which Mr Brownlee refers. I have made the offer to have that discussion, and I will ensure that any issues that are raised with us by the third sector about performance in honouring commitments will be pursued by the Government and will be discussed with local government. I remind Mr Brownlee—although I am sure that he needs no reminding—that local authorities are independent statutory bodies, which are responsible for their own decisions.

Equality Trust

10. Bill Wilson (West of Scotland) (SNP): To ask the Scottish Executive what its position is on the value of the Equality Trust website as a resource for policy makers and whether the principles espoused there could shape the Scottish Government's financial policies. (S3O-9761)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Policy makers use a range of information sources in the course of their work, and the Equality Trust website is treated like any other. As with all evidence sources, we seek to assess the

robustness of any conclusions or recommendations before taking any substantive action.

The principles of the Equality Trust align very closely with the approach that the Government has taken to reduce the significant inequalities in Scottish society. One of the measures of our overall purpose is the solidarity target, which aims to increase overall income and the proportion of income that is earned by the lowest income deciles, as a group, by 2017.

Bill Wilson: I thank the cabinet secretary for his response, particularly the last couple of lines. In the light of that, does the cabinet secretary agree that a progressive tax system is an essential part of a fair society; that the reintroduction of VAT at 17.5 per cent by the Labour Government is a regressive measure; that the Labour Government's failure to reduce significantly tax evasion and avoidance—estimated to be £70 billion and £25 billion respectively by the Public and Commercial Services Union—is highly damaging to the wellbeing of the people of the United Kingdom and elsewhere; and that the Robin Hood tax on financial transactions is a good idea?

John Swinney: I certainly agree with Dr Wilson that the concept of progressive taxation should lie at the heart of any tax system that we adopt. That approach is reflected in the direction of the Government's policy. The solidarity target to which I referred is an important part of the Government's economic strategy, which is designed to tackle the difficulties and problems that are created by low incomes. I assure Dr Wilson that that will remain significant in the Government's focus on delivering its economic strategy.

The Presiding Officer: Question 11 was withdrawn.

Forth Replacement Crossing

12. Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): To ask the Scottish Executive what methodology will be used to reprioritise other capital spending in order to pay for the Forth replacement crossing. (S3O-9685)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): We are committed to taking forward the Forth replacement crossing through public procurement and finance. We are working to manage the impact of the project on the Scottish budget to ensure the continuity of the Government's capital programme.

Capital budgets have not yet been set for the years beyond 2010-11, as they are outwith the current spending review period, but the potential impact of future capital allocations is currently being considered.

Jeremy Purvis: The cabinet secretary will be aware that officials who are leading the Forth replacement crossing project told the Finance Committee recently that ministers will have to reprioritise all other capital spending, including health and local government capital spending, to pay for the crossing using the method that the Government has set rather than using the revenue funding model to spread the repayment. Does the cabinet secretary agree that it is important that the Government state clearly now what methodology it will use for that reprioritisation? Otherwise, every other project could fall foul of the treatment that the Glasgow airport rail link received. That project was cancelled without any statement in advance on the merits of cancellation, or on whether any cost-effective method had been used to prioritise all other schemes. When will the Government make it clear what methodology it will use?

John Swinney: The procurement method that the Government selected for the Forth replacement crossing delivers value for money. That is the test that was passed. It would be a strange Government that did not follow the assessment of value for money that was carried out in the project.

There are clearly implications of the Forth replacement crossing being supported by the traditional method of capital financing within the Government's programme. We will set out, as we do in all circumstances—as I did in the spending review 2007 and as I do in the annual budget documents that I lay before the Parliament—the approach that we are taking to other capital projects. That approach will be available for the Parliament to scrutinise, as it has been in every year of this Administration.

Of course, our ability to exercise financial flexibility would be enhanced if the Parliament had borrowing powers, for example. That would make a significant difference and is something on which Mr Purvis and I have common cause. If we were able to exercise greater financial responsibility than we currently are, we would be more able to deploy the flexibility that is required in management of a capital programme at a time of significant pressure on capital programmes. The Treasury sets out that such pressure will be the case and it will be a significant issue for the Government to manage.

Single Outcome Agreements

13. Elaine Murray (Dumfries) (Lab): To ask the Scottish Executive how it is monitoring the progress of local authorities' single outcome agreements. (S3O-9725)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Local authorities report to their communities and to the

Scottish Government each year on progress that they and their local partners make on the outcomes in their single outcome agreements. Those reports—taken alongside other statistical information, service inspection reports and best-value reports—assist community planning partnerships as well as the Scottish Government to understand and track progress, learn lessons and implement continuous improvement. Part of the approach of all community planning partnerships is to ensure that that information is distilled as effectively as possible to members of the public.

Elaine Murray: The cabinet secretary is aware of Scottish Environment LINK's concerns about the lack of environmental targets in single outcome agreements—for example, only four out of 32 local authorities mention biodiversity. How will he respond to its suggestion that a strategic environmental assessment be done on all SOAs?

John Swinney: The question whether an environmental impact assessment should be carried out on a single outcome agreement would be determined by whether the single outcome agreement passed the test in the environmental legislation on the requirement for a strategic environmental assessment to be undertaken. It is important to recognise that all local authorities have requirements to deliver on targets that may not be contained in single outcome agreements, but which are equally valid. As I said, there are various other channels of statistical information that are reported on for waste recycling or other issues of that character. Other reporting strands outwith single outcome agreements provide the public information that allows the Government to judge whether sufficient progress is being made on the achievement of major targets that face the country.

Town Centre Regeneration Fund

14. Karen Gillon (Clydesdale) (Lab): To ask the Scottish Executive whether the Cabinet Secretary for Finance and Sustainable Growth considered maintaining the funding for the town centre regeneration fund. (S3O-9704)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): Ministers have not given further consideration to an additional round of town centre regeneration funding. Funding was accelerated from 2010-11 in recognition of the additional needs of our town centres in these difficult economic times, and the fund was always intended to be a one-year capital fund.

Karen Gillon: It is very disappointing that the cabinet secretary did not, in fact, consider retaining the fund, given that it was so oversubscribed in the previous round. What

analysis was done, ahead of the decision not to continue with the fund this year, of the fund's impact and the potential added value that that money brought to town centres?

John Swinney: With the greatest of respect to Karen Gillon, her response is completely and utterly devoid of any sense of understanding of the financial context in which we operate. There is quite simply not money kicking around for everything.

Mr Frank McAveety (Glasgow Shettleston) (Lab): What about the referendum bill, then?

The Presiding Officer: Order.

John Swinney: Oh, here we are—suddenly the Labour Party has sprung to life at the mention of the financial constraints from its economic failure, which has impacted on our country and our budget. That is what people like me have to wrestle with as we deal with the Scottish budget. The Labour Party can go around promising everything to everybody and demanding things such as a boiler scrappage scheme, then vote against it in the budget. *[Interruption.]*

The Presiding Officer: Order.

John Swinney: What an absurd position for the Labour Party to get itself into.

Malcolm Chisholm (Edinburgh North and Leith) (Lab): Is it the case that the money that was distributed by the town centre regeneration fund was supposed to be spent within this financial year? Given that that is certainly not the case for at least one project that I know of, will the cabinet secretary use any underspends in the fund for excellent bids that were not successful, including the bid from Leith that was ready to deliver in total in this financial year?

John Swinney: Various conditions are applied to the distribution of resources under the town centre regeneration fund. Those conditions were set out by the Minister for Housing and Communities, and the projects are working to deliver against them. Quite clearly, there will be an evaluation of, and a report on, the implications of the town centre regeneration fund, which will be brought forward by the Minister for Housing and Communities. However, I can assure Mr Chisholm that the conditions of the fund are being applied in the projects that have come forward.

The Presiding Officer: Question 15 was withdrawn.

Harris Tweed

16. Alasdair Allan (Western Isles) (SNP): To ask the Scottish Executive what its plans are to support the development of the Harris tweed industry. (S3O-9735)

The Minister for Enterprise, Energy and Tourism (Jim Mather): The Scottish Government, alongside Highlands and Islands Enterprise, Scottish Enterprise, Comhairle nan Eilean Siar and Scottish Development International, offers a range of support for the Harris tweed industry, encompassing capital investment, training, support for individual weavers and international marketing. Looking forward, we are working with Highlands and Islands Enterprise and the Harris Tweed Authority to maximise the opportunities offered by the centenary celebrations of the orb trademark.

Alasdair Allan: The minister will be aware of the considerable efforts that are being made to put the tweed industry back on its feet. However, an outstanding issue is how to make weaving an attractive occupation in terms of providing a steady and rewarding income. What plans does the Government have to support the retention of weaving skills in the islands?

Jim Mather: The Government and its agencies recognise the skills and craftsmanship that are required of Harris tweed weavers. There is a two-year training programme in place that provides training at all levels for the industry. Mill management and production staff are also benefiting from a range of training in areas such as management, exporting and information technology. In addition, support has been given to enable specialist production staff to pass on their skills across the workforce, ensuring that years of legacy knowledge and experiences are handed on. In respect of the industry's identified need to recruit new weavers, we have accelerated the training programme for new-start weavers, which will commence next Monday, 8 March, in Stornoway.

Glasgow City Council (Funding)

17. Mr Frank McAveety (Glasgow Shettleston) (Lab): To ask the Scottish Executive what additional resources it will give to Glasgow City Council to enable it to meet the particular needs of the city. (S3O-9716)

The Cabinet Secretary for Finance and Sustainable Growth (John Swinney): The agreed formula that is used to distribute funding to local authorities reflects the particular needs of each council area. Under that formula, Glasgow City Council will receive £1,671 million from the Scottish Government in 2010-11, which is £16.2 million greater than in 2009-10 on a comparable basis. The increase would have been double that amount, had the United Kingdom Government not cut the Scottish budget by over £500 million.

Mr McAveety: I had intended to thank the cabinet secretary for his thoughtful reply, but the final sentence of it disappointed me.

This week, the Parliament's Public Petitions Committee held a meeting with the cabinet secretary's ministerial colleague, Alex Neil, and senior representatives from Glasgow City Council on the incredible pressures that exist in the Govanhill area of my constituency. As part of his continued thoughtfulness on public finance, will the cabinet secretary consider ways in which his Government could resource the likes of Govanhill Housing Association to take over the neglected private landlord housing that so disfigures a proud and diverse community?

John Swinney: Mr McAveety pursues the issue on his constituents' behalf, as I would expect him to do. I understand that it was raised at the Public Petitions Committee's meeting earlier this week, at which Mr Neil was present.

I give Mr McAveety the undertaking that I will discuss the Govanhill situation with Mr Neil. I am sure that we will consider any issues that arise from the points that Mr McAveety has made today and the petition that the Public Petitions Committee considered earlier this week in the context of the wider support for housing and regeneration activity that the Government is providing.

Education and Skills

The Deputy Presiding Officer (Alasdair Morgan): The next item of business is a debate on motion S3M-5871, in the name of Michael Russell, on educating children and young people to compete in a globalised 21st century.

14:57

The Cabinet Secretary for Education and Lifelong Learning (Michael Russell): I welcome the debate for several reasons, not least because it gives me the opportunity to set out my strong belief—a belief that was buttressed by my period as Minister for Culture, External Affairs and the Constitution—that, in order for Scotland and its people to succeed and flourish in the globalised 21st century that we live in, we must all become and live as global citizens.

The term “global citizens” covers citizens who have a knowledge and understanding of the world and Scotland's place in it; citizens who are confident about travelling widely for jobs and working with other nationalities, and who enjoy speaking other languages; citizens who are respectful of other cultures, traditions, religions, beliefs and attitudes; citizens who appreciate that their behaviour and actions have an impact on their environment and the environment of others in other countries, and who acknowledge that we must change our consumption habits to ensure that we have a sustainable world for future generations; and citizens who care about their society and locality, and who appreciate the good things that we have in our lives, in comparison with millions of others in less fortunate places.

All those things are essential if we are to educate and prepare this country and society for success in the 21st century. It is part of the Government's job to show ambition, leadership and direction to achieve those aims. It is also essential that we are global citizens so that we can successfully engage with and get the best from the rest of the world, not least for the benefit of our economy, our prosperity and our reputation as a country of integrity, passion and pride, as well as a beautiful country with a rich culture, heritage and history.

All that starts with education. This afternoon's debate gives me the opportunity to restate the Government's commitment to international education and developing global citizens, and to promoting learning in contexts that go well beyond our borders. It also allows us to restate the importance of meaningful international engagement with our European and world partners, and to draw attention to our ability to share with other people the exciting range of

associated work that we are doing in Scotland that is admired elsewhere.

The Government is determined to ensure that, from birth to adulthood, all young people have opportunities to develop a knowledge and understanding of the world and Scotland's place in it. To put it another way, we must give our young people a strong understanding of Scotland's position in the wider world. That is essential to our new approach. I am therefore delighted that "International education: responsible, global citizens"—the report published last month in Her Majesty's Inspectorate of Education's popular "Learning Together" series, which has inspired the debate—confirms that there are many examples in our schools of exciting, innovative and inspiring approaches to international education.

At this early stage in the debate, I pay tribute to the retiring HMIE senior chief inspector, Graham Donaldson, whose work led to that report and who has shown a strong commitment to international education. On its publication, he said:

"Scotland's future economic prosperity requires an education system within which the population as a whole will develop the kind of knowledge, skills and attributes which will equip them personally, socially and economically to thrive in the 21st century".

In preparing the guide, HMIE found some outstanding examples of international education in Scottish schools, with some young people's lives being transformed. At its best, learning in an international context enables children and young people to become more outward looking and confident about themselves and their nation; to be more skilled and competent users of world languages; to develop an evolving, informed world view and an understanding of Scotland's place in it; and to learn about and understand other cultures and religions at first hand—in other words, to participate fully as active, responsible global citizens.

Margo MacDonald (Lothians) (Ind): Will the minister give way?

Michael Russell: In just one moment.

I am very pleased to welcome to the public gallery pupils from St Ninian's high school in Kirkintilloch and their headteacher, Paul McLaughlin. I was due to visit the school to take part in their activities a couple of weeks ago, but snow and traffic prevented me. I am glad that, if the mountain cannot go to Mohammed, Mohammed can come to the mountain. They are very welcome: they are an example of how things are done well, and I congratulate them.

I am happy to give way—

David Whitton (Strathkelvin and Bearsden) (Lab): Will the minister give way?

Michael Russell: I will give way to the member for Kirkintilloch.

David Whitton: I am grateful to the minister for giving way on that point. I should point out to him that, as I am sure he knows, the mark of every good school is the leadership in it and that Mr McLaughlin is the secondary school headteacher of the year. That should be acknowledged, too.

Michael Russell: I pay tribute to Mr McLaughlin, and I shall meet him after the debate to hear also, I understand, his considerable enthusiasm for the progress that is being made with the curriculum for excellence. I am delighted that, as an exemplar of that activity, he is here to tell us about it.

I will give way to Margo MacDonald.

Margo MacDonald: I thank the cabinet secretary for being generous with his time, and I hate to sound like a Cassandra, but, while I thoroughly approve of the philosophy of international education that he has outlined, I hope that we will also hear how we are going to learn to read, write and count. That is what the current concern is about, not our internationalism.

Michael Russell: Unfortunately, there is always somebody in Scotland who, when you say that the weather is good, says, "We'll pay for it." Regrettably, that is what we have just heard. There are young people in Scotland who are doing exceptionally well; there are also young people in Scotland whom we need to help to do a great deal better. It is not a case of either/or and, unfortunately, it is probably the attitude that creates an either/or between excellence in attainment and basic skills that has got us to where we are now. We want to reverse that trend, and I am determined to do so.

I make it clear that the Scottish Government's international framework is a context for what is taking place in schools. The framework, which was published in April 2008, makes a crucial contribution by indicating that the Government's key purpose—to focus Government and public services on creating a more successful Scotland—is within the context of international achievement.

The international framework outlines the conditions in which that will happen. We have to ensure that we have talented people to live, learn, visit, work and remain in Scotland; we have to have a sharp economic growth focus to the promotion of Scotland abroad; and we have to manage Scotland's reputation as a distinctive global identity, an independent-minded and responsible nation at home and abroad, confident of its place in the world.

Our international engagement is done on many levels, but it is certainly done in education. Last

October, I spent time in India, where I was on a trade mission with, among others, a number of college and university principals. That trade mission was designed to take the best of Scottish education to India and to enter into a real and genuine partnership. I was pleased to meet India's Minister for Human Resource Development, Kapil Sibal, who is in charge of higher education, and to hear the way in which India wants vibrant partnerships with Scottish educational institutions. That is also true for our relationship with China, which St Ninian's is deeply involved in.

We also excel and try to excel closer to home. As my colleague Keith Brown knows, as he has been to a Bologna process event, our engagement in helping to create the European higher education area has been significant—so much so that, at the last meeting of ministers in 2009, Scotland was the only one among the 46 participating countries to report a green scorecard against every action line. Those who want to talk at great length about problems shown in international league tables should put that in their league table so that we get the complete picture.

However, we must build on those successes if we are to remain as highly regarded in the future. This weekend, I shall speak at the conference of the National Union of Students, whose participation in the Bologna process is a key aspect of taking this forward from generation to generation.

There is so much more that we could celebrate and talk about, and there is so much more that we can do. Our international science and research activity is very important and the number of our global collaborations is increasing, with almost half of Scotland's papers in 2008 being internationally co-authored compared with only a third in 1999. Co-authorship is extremely important in spreading and deepening the research base, and the incidence of co-authorship with Germany, France, China and India is rising, although the USA remains the most popular co-authorship destination.

We can do better and better, measuring ourselves against international benchmarks. We can and do engage in international surveys, and we can engage proactively with the European Commission, the Bologna follow-up group and the Organisation for Economic Co-operation and Development. We also participate fully in surveys such as the programme for international student assessment, PISA, and the trends in international mathematics and science study, TIMSS. We are very keen to be part of the wider world and to ensure that we understand its importance to us.

The most recent OECD review, which was debated in Parliament in January 2009, praised many aspects of our education system, declaring

our primary schools to be a real strength, describing our induction programme for new teachers as world class and praising the ambition and direction of travel of the curriculum for excellence. However, it would be wrong to think that, just because the OECD review said lots of nice things, it is fine to sit back. We need a culture of constructive reflection and continuous improvement in Scotland—in education more than in anything else. That means looking not just at others but at ourselves, reflecting on what we are doing and on how we take things forward.

The Liberal Democrat amendment is positive and supportive. It adds to the motion and I am happy to support it. The Conservative amendment could have been expected—indeed, I suspect that there is a computer that is writing such amendments. There is no great harm in it, although it is grudging. However, I regret the Labour amendment on two grounds. First, the chamber agreed some weeks ago to produce a skills strategy. We know that there will be a skills strategy and we know the successes that have been achieved in skills already, despite what has been said. That part of the Labour amendment is regrettable. Mr Whitton is muttering from a sedentary position. If he has had a hand in drafting the amendment, he has proposed cutting out an important part of the motion that deals with international scope and Scotland's place in the world. Secondly, we had a constructive debate in the chamber last week on the curriculum for excellence. We agreed that things needed to be done and that we would listen to professionals. I therefore regret that, instead of proceeding in that way, Labour wants simply to politick about it.

The really excellent education systems in the world have a number of common factors. One of those is the ability to create and sustain a consensus on radical change. That is particularly true of the Finnish system, which is world renowned. I have the ambition—I have talked about it for the past three months—to find a way to get that consensus. Last week, we achieved it in difficult circumstances. I regret that, this week, having lost their chance to disrupt the consensus last week because their amendment was defeated, Labour members want to disrupt it now. That is doing a disservice to the topic that we are discussing and to Scottish education, and any party that supports the amendment will be doing itself a disservice. The amendment is not about education; it is about politics. We have had too much politics in education; we need more educational thinking in politics.

I move,

That the Parliament recognises that in the globalised and increasingly interconnected 21st century it is essential that young people are equipped with the skills and capacities needed to succeed in the global marketplace; further

recognises that it is essential that learning is placed in an international context, including learning about Scotland and its place in the world, as an integrated element of the curriculum; supports the aim of promoting Scotland's education system and bolstering the international reputation that Scotland enjoys for excellence in education, and notes the Scottish Government's determination to learn from other countries' education systems to ensure that Scotland further improves its performance and applies a global perspective to its approach and ambitions.

15:08

Des McNulty (Clydebank and Milngavie) (Lab): Over the past three years, nearly every education debate has been timetabled for the morning, during Opposition time. Today, the Government has plucked up the courage to schedule an afternoon debate on education in its own time, and I welcome that. However, in his opening speech, the Cabinet Secretary for Education and Lifelong Learning has shown his predilection for rhetorical exegesis rather than practicality. I have no doubt that, if there were a league table for the number of empty words that could be crammed into 10 minutes, Mr Russell would top it.

I welcome the cabinet secretary's conversion to international education. The cross-party group on international development, which I set up 10 years ago with George Reid, has had many discussions about the importance of international education and I look forward to Mr Russell's attendance at future meetings when that matter is likely to be discussed.

I believe that the Opposition parties have injected substance into the debate by lodging amendments on matters that are vital to the success of Scottish education in a global context. The mismanagement of the implementation of the curriculum for excellence, skills and vocational training are undoubtedly important issues. We all agree that literacy and numeracy are essential and we agree on the importance of modern languages and science.

Scottish education traditionally enjoyed an outstanding reputation for quality teaching of both practical and theoretical knowledge—a reputation that advantaged those with a Scottish education. Although there are disputes about the validity and interpretation of comparative data on the performance of educational systems, Scotland can no longer claim to be at the top of the tree. Research shows that we are not doing enough to narrow the achievement gap between the highest-performing and the worst-performing pupils, which is unacceptably wide in Scotland; that far too many pupils leave school lacking basic literacy and numeracy skills; and that our qualifications system does not stretch more able pupils sufficiently.

The OECD diagnostic report flags up the issue of those not achieving their full potential and suggests that we look at the issue from an international perspective, which is a point taken fully on board in the work of the literacy commission. Literacy must become an overriding priority in education and must be a key performance indicator rather than a tick-box in a long list of tick-boxes in the curriculum for excellence.

I am not convinced that the literacy and numeracy tests in secondary 3 are in the right place or will provide useful information for teachers or the young person concerned. If a pupil cannot read or has difficulty in reading, certification at S3 does not provide an obvious benefit, whereas one-to-one support in primary or the early years of secondary patently does. Teacher time and, indeed, management time in schools should not be wasted on universal testing unless the purpose is clear. I agree fully with what the Conservatives seem to suggest in their amendment, which is that we need to be serious about the quality and rigour of qualifications.

Margo MacDonald: This is one of the kernels of the debate. If secondary 3 is too late to test and the purpose of testing is to support the child in its further learning, at what age does the class teacher have the best chance of cottoning on to which children need special support before they go to secondary school?

Des McNulty: The evidence suggests that it is necessary to look at that in the later stages of primary but, ultimately, it is a matter that schools have to consider in their own context.

The beginning of the motion states the obvious truth that

"it is essential that young people are equipped with the skills and capacities needed to succeed in the global marketplace"

and that we must respond to the challenges of globalisation in the 21st century. Languages are vital. It is paradoxical, given what has been said about St Ninian's high school, that it was a centre for excellence for modern languages when the Government withdrew the funding for schools of ambition, from which St Ninian's benefited. That is an example of the two-facedness that the Government is displaying.

In his speech, the cabinet secretary had an opportunity to set out in detail how the Government's skills strategy—which remains extremely sketchy, although we have been promised more detail—will be adapted to meet the challenges that we face.

I will not berate Mr Russell for the decision by Skills Development Scotland to spend money on the services of Mr Paul McKenna—no doubt he is

doing some berating himself—but the fact is that the inflexibility of the training for work scheme, which has been repeatedly highlighted by training providers, has not been remedied in line with the strategy on the SDS website, apparently because of delays on the part of Scottish ministers, whereas, down south, the inflexibility has been ironed out and the train to gain scheme is already up and running. That is a practical scheme that the minister could have brought forward.

Ken Macintosh recently asked the cabinet secretary some very basic questions about the new qualifications being introduced and their implications for subject choice. A bare six months before pupils are due to begin the new curriculum, he should have had the answers at his fingertips, but these are not the only matters on which we lack clarity. The assessment for the new national qualifications, which is a crucial component of the curriculum for excellence, is widely believed to lack the required level of specification.

Although pupils will not sit these exams until 2014, teachers are rightly worried about the Scottish Qualifications Authority's failure to provide the required detail; Learning and Teaching Scotland's failure to provide the promised exemplars; and the incoherence in the management of the most major reform of Scottish education in a generation. It was the Government's choice to manage the process by committee; to defer and delay to avoid public dissent on the board; and to allow the process to be led by civil servants, whose skills do not normally include the management of curriculums and organisational change.

The week is bracketed by the Scottish Secondary Teachers' Association's appeal on Monday for a further year's delay in the implementation of the curriculum for excellence and Saturday's major demonstration by teachers. The demonstration, which, as far as I can remember, is the first national one since the mid-1980s, is not about pay or working conditions; it is a day of action by professionals on behalf of their service and has been prompted by cuts that are a direct consequence of this Scottish National Party Government's choices, including an imposed council tax freeze that has placed local government under intense pressure while leaving each council to determine where the axe should fall.

The Minister for Skills and Lifelong Learning (Keith Brown): Will the member give way?

Des McNulty: No. Because education is such a significant proportion of authority budgets, schools budgets have been stripped to the minimum needed to cover statutory obligations, with little left to fund the continuing professional development

that is vital to the implementation of the curriculum for excellence.

In 2007, the Government's job was to implement a scheme whose philosophy and essential features had been painstakingly agreed in a very long process carried out under the previous Administration. It is now clear that the curriculum for excellence is in trouble; that the teaching profession's consent is being stretched; that the public are beginning to voice their concerns; and that serious questions are being asked about the ability of key players, including the Government, educational agencies such as the SQA and LTS, local authorities that are under severe financial pressure and even the professionals at the chalk face, who feel that they are being deprived of the tools to do the job.

We live in a world in which the movement of goods and services and of ideas and people is far faster than ever before and in which employment prospects depend not only on performance in examinations but on employers' perceptions of the quality of the qualifications received and skills acquired by school leavers and graduates. If the Scottish system falls behind, it blights the prospects of each individual as well as our national competitiveness.

A second delay in the curriculum for excellence will damage the Scottish education system considerably. I fully accept that we cannot allow children's education to be put at risk if the system cannot be delivered for them, but the curriculum for excellence management board will face difficult decisions when it meets in April. However, whatever it decides, it is clear that any fault that is to be found lies with the Scottish Government, whose vainglorious posturing is deluding no one in the education system.

The factor most likely to boost our educational system's performance is investment in improving teacher quality. We need the best people to be teachers and we need those who are recruited into the profession to be offered the support, information and development that they need to be the best that they can be. The Government has not provided that support, which is fundamentally why there are concerns about the curriculum for excellence.

It is the Government's job to put this right; it is the Government's job to ensure that the curriculum for excellence works; and it is the Government's job to accept responsibility if it does not.

I move amendment S3M-5871.1, to leave out from "further recognises" to "excellence in education" and insert:

"regrets the absence of a coherent skills strategy and the lack of preparedness for implementation of the Curriculum for Excellence, particularly the lack of detail regarding the

new qualifications and provision for vital continuing professional development”.

15:15

Elizabeth Smith (Mid Scotland and Fife)

(Con): I have no problem in reiterating our commitment to internationalism or in praising the enormous number of schools, many of which have been included in the HMIE inspection report, that, as the cabinet secretary has pointed out, have done a fantastic job on this subject. I, too, congratulate St Ninian's high school and, in particular, its headteacher on winning his excellent award. I have certainly said many nice things about Perth and Kinross schools such as Oakbank primary school and its work on international eco-school development and several other schools that have made excellent new links with schools in South Africa, India and China.

I suspect, however, that many teachers and members of the public will be a little puzzled at the SNP's insistence that the most pressing topic for an education debate this week is international education, particularly in view of the motion's very self-congratulatory tone.

There always has been and always will be a whole-hearted commitment in Scotland to international aspects of education. If there was a single reason why Scottish education made such a huge impact around the world in the days when it first established its reputation, it was Scotland's concern for the international community and the role that Scotland played in the economic, social and political development of many nations around the world.

The Scottish enlightenment in the 18th century, whose benefits were felt many thousands of miles from these shores, was remarkable for its great outpouring of intellectual and scientific accomplishments, which rivalled those of any other nation at the time. They were even more remarkable because they took place in a country that was considered to be one of the so-called more backward nations in western Europe. Scotland was remarkably forward in recognising the values that underpin a good education. The achievements in philosophy, economics, engineering, architecture, medicine, geology, archaeology, law, agriculture and chemistry were extraordinary, and the contributions of Scottish thinkers and scientists of the period, such as Francis Hutcheson, David Hume, Adam Smith, Thomas Reid, Robert Burns, Adam Ferguson and James Hutton, were outstanding.

The belief that a good education should be available to everyone was also extraordinary. There is no doubt that, if pupils are to become well-educated, rounded human beings, they must have a full awareness and understanding of the

global community, and tolerance and respect for the many and varied cultures around the world. Today's pupils have at their disposal a huge array of means of communication and a wide number of opportunities to visit other countries and to host visitors from other countries, which cannot do anything other than benefit their education. It is good to see that the recent HMIE report provided many examples of good practice in that respect.

I would like to pursue the theme of parental and teacher priorities at a time when there is much else of pressing need to debate in the chamber. Indeed, it is only by pursuing those priorities that we can best deliver the desired objectives in international education. That requires some of the most sophisticated skills to understand other cultures, build better relations with communities that are far removed from our own, and cross the boundaries of religious and racial divisions. That is not easy, and it is particularly difficult if too many of our young people lack good-quality skills in the basics. To pick up on the point that Margo MacDonald made, how can we expect youngsters who struggle to read and write properly to be furnished with the ability to learn a second or third language or the depth of understanding that is required to appreciate the historical and economic differences of other societies? That point is well made in the Liberal amendment. To pick up Labour's theme, how can we achieve the full benefits of the international dimension of the curriculum for excellence if teachers in our secondary schools remain a little hazy about exactly what subject knowledge they are supposed to impart and how it will be examined?

Margo MacDonald: In answer to the member's rhetorical question about how we can benefit from the international dimension of education, perhaps we should concentrate on the teacher training that is to be found in other parts of the world rather than on what schools are doing. We should look at what is being done with teachers elsewhere and whether they are better than our teachers.

Elizabeth Smith: That point is extremely well made. In the debate last week, the cabinet secretary said that we have lessons to learn from other countries. I am sure that he will not miss that point when he examines what we should do to improve teacher training. The General Teaching Council for Scotland has said that more teachers in the teacher training programme are asking for international education to be expanded and for better-quality training in the basics. I return to the fact that we will not be able to enhance international development unless we ensure that people are well crafted in the basics first.

Labour has an important point to make. We need much greater clarity and certainly far more assurances about the nature of the new

generation of exam reform. We debated that last week, and it has been debated in the media ever since. The new exams should not only be more suited to the needs of individual pupils—it is right that they should be—but should stretch our brightest pupils, who should have the potential to follow in the footsteps of their enlightenment forefathers. If the Scottish Government is serious about pursuing the best merits of international education, it might consider debating the merits of the international baccalaureate as opposed to the Scottish baccalaureate. However, a debate on that is perhaps for another Thursday.

The Scottish Government has made it clear that it wishes to learn from the educational experiences of other countries. One of the most important and pressing needs is the need to develop better vocational education.

Countries such as Germany and Denmark have sophisticated educational structures that allow formal vocational training at a younger age than is possible here and they have far less of the unacceptable stigma that in this country so wrongly gets attached to many pupils who, for one reason or another, have no wish to pursue an academically focused career.

Internationalism has always been at the centre of Scottish education and I am confident that it always will be. Those schools that have embraced new projects with international education are to be warmly congratulated, but I suggest that no one will congratulate the Scottish Government until it can attend to the basics without which too many children have little chance of being able to understand and appreciate the international community.

I move amendment S3M-5871.3, which was written carefully by me and not by a computer, to insert at end:

“; believes that the priorities for parents and teachers across Scotland are substantial improvements in basic standards of literacy and numeracy, greater rigour and greater flexibility in the SQA qualifications structure and wider opportunities for young people to pursue formal vocational training so that Scotland can strengthen its international reputation in educational attainment.”

15:25

Margaret Smith (Edinburgh West) (LD): The HMIE report “Learning Together: International education: responsible global citizens” states correctly that

“Scotland’s future economic prosperity requires an education system within which the population as a whole will develop the kind of knowledge, skills and attributes which will equip them personally, socially and economically to thrive in the 21st century.”

I realise that that is exactly the same quotation that the cabinet secretary used, but that does not make it wrong. It makes it doubly right, in fact.

The vast majority of us would hardly recognise the schools in which Scotland’s children learn today, by comparison with the classrooms of our childhood. Many of the changes are for the better: computers, smart boards and the increased use of information and communications technology encourage skills that are vital to success in today’s world and allow our young people to become more outward looking. Many of the examples in the HMIE report are certainly welcome. Liberal Democrats are committed internationalists and we welcome increased links between Scottish and international schools.

Although we support elements of the Government’s motion, particularly where it speaks of learning from other nations, we do so with a certain amount of caution. In the Liberal Democrat debate last week, we were keen to reiterate our support for the curriculum for excellence. We agreed that it was essential that it was resourced and implemented properly. We have real concerns about the funding for implementation and the fact that the curriculum is being introduced amid significant budget cuts. We are still worried about the general lack of clarity, given that the curriculum for excellence is meant to be introduced in secondary schools in the autumn, with new national qualifications introduced by 2013. Those concerns are clearly shared by the SSTA, the Educational Institute of Scotland and others. That is why we highlighted all those issues and introduced them for debate last week. To be fair to the cabinet secretary—something that I probably do not do enough of—he accepted our motion and the intent behind it and acknowledged the concerns of key partners.

Each and every one of us wants a successful implementation, and we should all be working towards that in the months ahead. That is why we called for a decision in the near future on implementation dates. We welcome Mr Russell’s assurance that he will listen to the management board about whether more time is needed before implementation in secondary schools. The management board will meet two weeks after Easter. It would certainly be helpful if decisions on the timetable were made after that meeting, particularly given the fact that when we start the curriculum, we will move towards crucial new national qualifications.

Another key point of the proposed curriculum for excellence changes is around literacy and numeracy. Reading and writing attainment in the five to 14 curriculum is decreasing. Literacy and numeracy need to be key priorities, from early years education throughout primary school. Quite

simply, it is not acceptable that two thirds of 13-year-olds fail to reach expected standards of writing or that 18.5 per cent of pupils leave primary school without being functionally literate.

The Organisation for Economic Co-operation and Development has rightly highlighted that some of our children are being left behind. Socioeconomic disadvantages are the most significant cause of illiteracy. Instead of taking a blanket approach, we need to reach those most at risk in a personalised way that takes into account the needs of pupils and their families and supports them. We should also focus resources on the schools in greatest need, and we support smaller class sizes in deprived areas as part of that approach. If Scotland is to succeed economically in the world, it is essential that children leave our schools able to read, write and count. Those skills are not add-ons; they are the fundamental building blocks of a lifetime's education.

Scotland did well in the 2000 and 2003 programmes for international student assessment, but in 2006 we were just above average. We accept the cabinet secretary's comments about the Bologna process, but it is critical that we continue to benchmark ourselves against others, continue to learn lessons from that and acknowledge that we are slipping.

Last week, the cabinet secretary said that

"attainment has plateaued over the past decade. We perform well, but not well enough; others are catching up with us and, in some cases, exceeding us."—[*Official Report*, 25 February 2010; c 23966.]

We agree with that and with addressing the situation urgently, so we support the Conservatives' amendment.

Margo MacDonald: Will the member give way?

Margaret Smith: No—I would like to make progress.

The world changes and teaching must move with it, so examining how Scots teachers are taught has merit. The Donaldson review of teacher training must ensure that teachers are equipped with the right knowledge and skills to develop key subjects. We must have in place the specialist teachers whom we need. The teaching profession must be strong and dynamic. We must have a body of teachers who are not just comfortable with but confident in delivering the curriculum. That is why the fall in teacher numbers is hugely disappointing, as is the fall in the number of modern language teachers.

We need fundamental improvements in modern languages. The Scottish Further and Higher Education Funding Council's report on modern languages in Scotland concluded that

"Scotland currently falls well short of meeting the language aspirations of the Council of Europe that all European Union citizens are able to hold a conversation in two languages other than their mother tongue".

Although 56 per cent of Europeans can speak at least one other language well enough to hold a conversation, that is true for only 48 per cent of UK citizens. Only 18 per cent of UK citizens can speak two other languages, in comparison with a European level of 28 per cent, and only Turkey and Ireland fall behind the UK.

Learning foreign languages has benefits—it opens up the world to our children and our citizens. However, the most recent SQA data show a decline in the number of entrants for language exams from 58,000 in 2008 to 54,000 in 2009. The proportion of all exam entrants who do modern languages has dropped from 8.2 per cent to 7.5 per cent. Those are not the only worrying reductions. The number of modern language teachers in our schools has fallen—there are 96 fewer French teachers and 10 fewer German teachers.

The curriculum for excellence introduces elements of teaching modern languages at primary level, but the GTCS does not stipulate that primary teacher-training courses must include training on modern languages. The Government must confirm how it intends to ensure that teachers are properly equipped to teach modern languages. We would like the Donaldson review to examine that.

Michael Russell: I honestly do not remember whether Margaret Smith was present at the Education, Lifelong Learning and Culture Committee meeting when, in response to one of Ken Macintosh's many questions, I confirmed that the Donaldson review would consider modern languages. I have since spoken to Graham Donaldson to ensure that that is part of his review.

Margaret Smith: I welcome that and the fact that the cabinet secretary says that he will accept our amendment. If we are serious about our place in the world and about ensuring that our people—particularly our young people and pupils in our schools—have the skills that they need to compete and play an active part in the world, modern languages are fundamental.

We know that good practice examples of internationalism in our schools exist throughout Scotland. Primary schools have worked with others throughout Europe on eco-school status and children have communicated by e-mail, blog and videoconference. Children are not only challenged but excited by that. I read a comment about that from a pupil that was spot on. He said that sharing themes for learning with French schools was

“an exciting way to learn with real people for real reasons”.

That is the kind of education that our children need—education that is relevant, exciting, modern and challenging.

The Deputy Presiding Officer: Wind up, please.

Margaret Smith: Plato said:

“Never discourage anyone who ... makes progress, no matter how slow.”

I do not wish to discourage Mr Russell, but more progress, more speedily would be welcome and helpful.

I move amendment S3M-5871.2, to insert at end:

“; notes the particular importance of modern languages and science in modern society and the global marketplace, and believes that the Donaldson review of teacher training must ensure that teachers are equipped with the right knowledge and skills to develop these and other key subjects and meet the needs of pupils in the 21st century.”

15:33

Aileen Campbell (South of Scotland) (SNP):

Global citizenship and international perspectives on education have never been more important. We live in an increasingly interdependent world in which countries are defined and shaped by their interdependence and their relationships with other countries and international institutions.

Younger generations must be equipped with the skills that they need to make the most of the opportunities presented by the globalised economy and marketplace in which we live. The Scottish Government recognises that and, as the motion says, it wants to ensure that we continue to improve our education system’s performance and to apply a truly

“global perspective to its approach and ambitions.”

Margo MacDonald: Everyone seems to agree that it is a great idea for all Scots to speak as many foreign languages as possible. How many foreign languages do American pupils learn? They do rather well in any competitive test of the results of their education programme.

Aileen Campbell: I defer to Margo MacDonald’s knowledge of that. I am sure that she will explain to members of the Education, Lifelong Learning and Culture Committee some of her thoughts on that issue.

A helpful starting point is the recent HMIE report “Learning Together: International education: responsible, global citizens”, which evaluates the work that is done in Scotland on international education. It found much to be commended. It states that finding an international perspective

“enhances the ethos and life of the school as a community”

and

“provides a wide range of opportunities for personal achievement”,

concluding that it is

“a key dimension of the broad general education to which all children and young people aged 3 to 15 are entitled.”

I am sure that every member can and, no doubt, will give examples from schools in their area that promote global citizenship and civic responsibility. In my area, I think of Larkhall academy and the group of sixth year pupils who developed a unite Scotland initiative to celebrate diversity within Scotland and the contribution that people from other countries and cultures make when they come here. As part of that project, the group aimed to raise more than £20,000 through the Prince’s Trust scholars challenge, which ran during the academic year 2008-2009.

However, the aim of international education, and the aim of the Government’s motion, is to ensure not just that those in education learn about other countries and societies but that we learn from them. The Cabinet Secretary for Education and Lifelong Learning is right to look at best practice around the world, especially in those countries that tend to perform better than Scotland in OECD and other assessments of our educational performance. Where other countries are getting things right, it simply makes sense for us to consider how their ideas might be applied to Scotland. Other members have made that point.

From that perspective, it is easy to understand the importance that the Liberal Democrats’ amendment attaches to modern languages. All too often, native speakers of English take it for granted that they will be understood by people from other parts of the world. That can lead to complacency in the uptake of and commitment to the study of other languages. Learning other languages has benefits beyond simply being able to communicate with people from different countries. To truly understand a language means also to understand the culture that has shaped and formed it. It is also a skill that promotes and improves learning and cognitive functions in other parts of the curriculum and daily life, especially in the early years.

It is unfortunate that Labour is not as constructive in its amendment. The Parliament rightly debated the curriculum for excellence just last week, when it supported

“the full and effective implementation of the Curriculum for Excellence”,

agreeing that it should be introduced within a timescale that meets the recommendations of the management board. Like the cabinet secretary, I

believe it is unfortunate that the Labour amendment for today's debate removes from the Government's motion so much that is positive about Scottish education.

It is not just the Government's responsibility to promote international perspectives on education. I note the range of organisations that exist to help schools to integrate global citizenship as effectively as possible into the curriculum. The Scottish Development Education Centre and the International Development Education Association of Scotland do hugely important work in that regard. Both are supported by the Government, but they bring together a wide range of individuals who have experience of international development and education.

Another such organisation is the British Council, which, along with the United Nations refugee programme, Scottish Screen and others, has helped to sponsor the reel festivals series of international film screenings in Edinburgh. I have been proud to support the reel Iraq and reel Afghanistan festivals in the past two years. Although some of the material that was screened might be beyond what would usually be shown to school pupils, the festivals are another demonstration of Scotland's willingness to reach out to the wider world. They are organised by the Edinburgh University Settlement charity, whose stated goals are to enhance public provision for individuals who are disadvantaged through circumstance or disability. It aims to help local people in and around Edinburgh to bring about social change and regeneration for their communities. Many such causes are founded by people who are products of Scotland's education system and who have learned through their education in Scotland the values of citizenship and responsibility and our obligations to our neighbours at home and abroad.

The motion states that young people must be given the opportunity to learn

"about Scotland and its place in the world".

For that reason, the Government is once again to be commended for making the Scotland's history website available not just to schools but to everyone who has access to the internet, wherever they are in the world. Far from having a narrow perspective on our nation, the website is in the proud tradition of internationalism that has always been found in people from Scotland, including those of us who believe in independence.

This Saturday, teachers and members of the public from across Scotland will gather to protest against cuts to our education system. As I said in the chamber last week, I firmly believe that we should invest in teachers and not in Trident

submarines. Global citizenship education will do more to bring about peace and reconciliation and sustainable economic development than weapons of mass destruction on the Clyde ever will.

I congratulate the Government on its motion and its vision of a positive way forward for Scotland's education system that builds on good practice and, of course, internationalism.

15:40

Claire Baker (Mid Scotland and Fife) (Lab): I am pleased to take part in this debate. Although there is nothing to disagree with in the Government's motion, it seems removed from context. It has taken the amendments from the Opposition parties to bring to the debate the pressing issues that Scottish education is facing.

I appreciate that it is merely a week since our previous discussion, but, as they say, a week is a long time in politics. In that time, we have seen increasing speculation about a delay in the introduction of the curriculum for excellence, a report on the GTC that has generated its own debate and a lively discussion on class sizes in yesterday's meeting of the Education, Lifelong Learning and Culture Committee—and yet the Government motion seems to exist outwith those issues.

Although the motion recognises the challenges that children and young people face at the beginning of the 21st century, it does not really offer any solutions or policies about how to equip them to respond to those challenges. The motion "recognises" plenty, but it does not really respond to the challenges, although it does contain an important recognition of the interconnectedness of Scotland's place in the world.

Only last night, in Bill Butler's members' business debate on Fairtrade fortnight, we discussed the fair trade ethos, which is built on the co-operative principles of community ownership, democratic membership control, equitable distribution of profits and commitment to building long-term, sustainable trading relationships. Those values safeguard the rights and welfare of workers and consumers alike. If we want to equip young people with the skills and capacities to succeed in the global marketplace, we have to ensure that they have a greater understanding of the strengths and weaknesses of global markets.

We are experiencing dramatic economic changes throughout the world. There is increasing debate about the creation of new markets and, increasingly, people recognise that Scotland does not sit alone and that our actions have consequences throughout the world. It is about children and young people not just competing

internationally but contributing to change and recognising their global responsibility.

That brings us back to the curriculum for excellence, which offers greater opportunities for children to appreciate those complex issues. In many ways, it offers a response to many of the issues raised in the motion. This week, we have heard calls from the SSTA to delay; we have also heard that the EIS plans to survey teachers and is considering a delay and that the Scottish Parent Teacher Council has emphasised the need for better preparation before implementation.

I know that the cabinet secretary is well aware of those concerns. Any decision has to be taken in the best interests of pupils, but it would be unfortunate if there was to be a delay. The cabinet secretary was quite right to say last week that he did not agree to “delay for delay’s sake”, but he also recognised that secondary education desperately needs to change and that delaying the new curriculum will have a cost in relation to the chances and opportunities for secondary pupils—chances that relate very closely to the Government’s motion.

It is concerning that we are again talking about a delay. When the previous Cabinet Secretary for Education and Lifelong Learning announced a delay at the end of 2008, it was recognised to be a sensible move—there was broad agreement that more time was needed. However, this is almost a year and a half later and we seem to be in the same situation. Surely in that period the issues identified could have been resolved. There are now legitimate concerns that there has been a lack of leadership, and there are increasing concerns about resources.

The cabinet secretary recognises how important the changes are for young people and how important it is that the curriculum meets the challenges outlined in the Government’s motion. Although pupils, parents and teachers must be confident and there must be clarity around the exams framework, the cabinet secretary cannot allow the introduction of the curriculum for excellence to drift. He agreed to make a decision in the next few months. There is still time for him to keep this on track.

The Labour amendment raises continuing concerns about the skills strategy. The Government motion recognises the demand for a flexible, highly skilled, adaptive workforce. We all know that employment opportunities have changed dramatically in recent decades—not many long-service carriage clocks are handed out these days. We need a workforce that is not frightened of those changes but is supported to embrace them. A responsive skills strategy that fully recognises the current economic climate is

essential. I am sure that my colleague Dave Whitton will say more about that later.

The Government motion talks about

“the international reputation that Scotland enjoys for excellence in education”.

Of course, we are recognised for an education system that produces good results—excellent results in many cases. In the university sector, we are world leading in many areas, with forward-looking universities such as the University of Aberdeen pursuing an innovative curriculum that is intended to meet the demands of the modern world. However, we must not be complacent and rest on that reputation.

Exam results are improving and the highest pass rates are being achieved in many subjects. There are more graduates and postgraduates. However, the Scottish survey of achievement, which was published the other week, revealed concerning figures on children’s reading skills. Only one child in three can write properly by the age of 13. We all agree that there is a need for a literacy action plan, and the findings of the literacy commission gave rise to concern about many areas.

Such realities do not sit well with the idea of Scotland’s excellent reputation for education. There are two sides to the legacy that the Scottish Government has inherited. Politicians always want to take credit for the good results and blame their predecessors for the poor results, but we are all responsible for working together to ensure that Scotland has an excellent education system that is recognised not just internationally but by parents and pupils and by students and adult learners. I think that the current Government and all members of the Parliament are committed to realising that aspiration, but we sometimes disagree on how to do so. The Parliament must resolve the pressing issues if we are to give people the opportunities that they deserve in the 21st century.

15:45

Christina McKelvie (Central Scotland) (SNP):

For generations, Scotland has been proud of its education system. Scots laud it as being the best in the world and are not shy in letting other people know how good we are. There was a time when Scotland’s commitment to teach every child to read and write was unmatched by other nations, which meant that we had the best education system in the world. However, those days are some way behind us and we need to move on and be honest about the challenges that our education system faces and what we need to do to improve it.

It is important to acknowledge the hard work and professionalism of teaching staff in schools and support staff in local authorities, as well as the efforts of all school pupils and their parents, which have resulted in high attainment year after year. It is easy to get bogged down in the negative aspects of what we must deal with, but we should congratulate the kids who get out there and get on with it every day. However, there will always be doom-mongers—they are usually to be found in the red corner of the chamber—who see a half-empty glass as one that is missing a portion, unlike those of us who see a half-full glass as one that has another half-glass-worth of potential. I should say that the glasses have milk in them and minimum pricing does not apply, although dairy farmers might wish that it did.

Scotland certainly has the potential to fill the glass and keep improving. The skills that we teach our pupils in schools will be the skills that they use to build a better future for themselves and the country. They will build on those skills in further and higher education and in lifelong learning.

I agree with the Government motion—that is no surprise—where it says that we must ensure that

“young people are equipped with the skills and capacities needed to succeed in the global marketplace”.

That is why I am concerned that the most recent figures on school-leaver qualifications, which were published last year and are for school year 2007-08, show that only one in 20 leavers, which means fewer than 1,500 people, had French at Scottish credit and qualifications framework level 6—for the benefit of members who have not kept up with changes to the qualifications system, that is a higher in old money. The lack of success in French was not made up for by success in other languages. Only 1.8 per cent of leavers had achieved level 6 in German, 1.3 per cent in Spanish and 0.2 per cent in Italian. One of the most important skills for success in the global marketplace is in precious short supply. We need to teach and expose young people to languages.

Perhaps there will be better news on that front. I look forward to hearing about that today or in due course. I am a monoglot who holidays abroad once in a while and I am amazed by the language skills of people from other nations and a little embarrassed that Scotland does not yet have the accomplishments that come from looking outwards rather than inwards.

Margo MacDonald: Will the member give way?

Christina McKelvie: Yes.

Margo MacDonald: Je voudrais parler en français.

The Deputy Presiding Officer: I am afraid that the standing orders do not allow you to do that, Ms MacDonald.

Margo MacDonald: There you go—everybody speaks English. I hate to sound like a prophet of doom, but more and more people across the globe are learning English for business and industry as well as for cultural exchanges. We should glory in the fact that we have been lucky enough to inherit the language. Learning other languages is important, but I put it to Christina McKelvie that it is not as important as it was 20 years ago.

Christina McKelvie: Aye. My colleague Aileen Campbell has just pointed out to me that I have a guid Scots tongue in ma heid. I should have stayed on my feet and finished this part of my speech, which would probably have answered Margo MacDonald's point.

If the figures to come do not show a dramatic improvement, we will have to address a serious issue in the future if we are to equip Scotland's youngsters for the global marketplace. An important point in that regard, which should be addressed, is that not all the important modern foreign languages are European languages.

I urge the cabinet secretary to look at, in the near future, the provision of modern Chinese and Russian learning and teaching facilities, and then to consider other Slavic tongues, Asian languages and, of course, the Nordic languages. It is often said that English is the international language of business but that seems complacent to me. Latin was once the international language of business, medicine and religion. If Scotland is to compete in the global marketplace, we need to be able to communicate, and that has to start in our schools. I appreciate that the problem is a long-standing one—it is decades old, and much older than me, of course—and that the solution requires more than training a few teachers and sliding them into schools. I believe that it is one of the most important issues that we have to face in training the pupils of today for the challenges of tomorrow.

We have to ensure that pupils are educated to see not only Scotland's place in the world, but how Scotland can interact with the world. The broadening of horizons has to be one of the major thrusts of any education system, and Scotland must get serious about that.

Last night, along with the Mercy Corps, I hosted an event in Parliament for the Middle East youth festival. The event involved the global citizen corps, which is the youth wing of the Mercy Corps. My colleague, Hugh O'Donnell, was also there and will say a few words about it. Youngsters from Lebanon, Jordan, the United States of America, Scotland and Ireland—and places further afield—engaged in a global peer education programme. It

was absolutely fantastic. Looking at the young people whom I met last night, and the effort that they put into their work and the week that they served on the festival, I think that the world is in good hands for the future.

Let us have more modern language success and get school pupils travelling abroad and experiencing other cultures. We should encourage the Erasmus programme, but also see about getting younger people abroad as well. Our pupils should learn about Scotland as their home nation, but they should also learn about Europe as their home continent. Internationalism must be the touchstone of Scotland's future success. We should start it by running it in our classrooms now.

15:51

Karen Whitefield (Airdrie and Shotts) (Lab): Another day, another education debate. Not that I am complaining; education and skills should be a priority for the Parliament and for any Scottish Government. I am not surprised that we all agree with the principle of ensuring that our young people become active global citizens. Equally, I would not be surprised if most MSPs spoke about an example of achievement in their own constituency. On Sunday, I was privileged to be able to go along to a musical extravaganza at the Fort shopping centre.

Aileen Campbell: If the member celebrates those principles, why does she want to delete them from the motion that we are debating?

Karen Whitefield: We want to talk about the priorities for Scottish education. Many of those things are already happening in schools, and we acknowledge that. I highlight the work led by Caitlin Currie, a primary 7 pupil at Tollbrae primary in Airdrie, who organised a musical extravaganza at the Fort shopping centre in Glasgow to raise money for the victims of the Haiti earthquake disaster, particularly the children. She is an excellent example of an active global citizen.

The Scottish public will judge the success or failure of any Scottish Government on its actions to improve education in Scotland. I have no doubt that the SNP Government is committed to improving educational attainment in Scotland. I also have no doubt that the cabinet secretary is passionate about the task of driving up attainment in Scotland's education system. However, although passion and commitment are laudable, they are not in themselves enough. The people of Scotland demand results: more new schools in which their children can be taught and sufficient teacher numbers in those schools. They demand a coherent and considered approach to any changes to the curriculum and examinations system. They also demand proper funding for our

colleges, which play an increasingly vital role in training Scotland's workforce.

Michael Russell: Will the member give way?

Karen Whitefield: Not at the moment.

I am afraid that the Scottish Government has failed on school buildings and teacher numbers. It is all very well to be ideologically opposed to public-private partnerships as a funding mechanism, but it is incumbent upon the Scottish Government to come up with a credible alternative.

I am afraid that the Scottish Futures Trust simply does not do that. Since its creation, the SFT has not funded one new school in my constituency; in fact, it has not funded one new school in North Lanarkshire. As we all know, the SFT has not funded one brick in any new school in the entire country.

Instead of providing funding, the SFT consumes it. According to its own publicity material, the organisation is wholly owned by the Scottish Government, operates independently of the Scottish Government and has non-executive members that are appointed by—yes, you guessed it—the Scottish Government. It employs 21 members of staff and will cost the taxpayer around £23 million, which includes a salary of £180,000 for the chief executive, Barry White. Is there not a song by Barry White called “I’ll Do Anything You Want Me To”?

Margo MacDonald: It is called “I’ll Do Anything For You”.

Karen Whitefield: The issue is important because, if we are to create highly skilled and adaptable workforces for the 21st century, we need to ensure that all our children and young people have equal access to high-quality schooling in an environment that is fit for purpose and inspirational. The Scottish Government must sort the matter out quickly.

Equally, the Government must address the growing problem that student and probationary teachers face. Those young men and women entered the profession with the not unreasonable expectation that at the end of their training they would have a secure job and be able to contribute to society by educating our children and young people. Unfortunately, teacher numbers are declining. The Government must face up to that and do something about it.

Only last week the Parliament debated the curriculum for excellence and I raised concerns about its implementation, particularly in our high schools. Those concerns have been repeated to me during the past week by constituents who teach in high schools throughout the central belt.

However, it is not only my constituents and the members of the Labour Party who are concerned. Others have expressed concern—the Scottish Secondary Teachers' Association, for example, has raised concerns about the timescale for the implementation of the curriculum for excellence.

In addition, there are concerns about the lack of resources to facilitate the staff development that is required to ensure a successful transition to the curriculum. The cabinet secretary must either take effective action to address those concerns, or consider a delayed implementation.

I encourage the cabinet secretary to examine closely the Government's support for further education colleges; I know that he recognises the vital role that they play. I recently had the pleasure of visiting the new Motherwell campus, but although I was impressed by the inspirational learning environment and the enthusiasm and commitment of college staff, I heard considerable concerns about the level of funding that our colleges receive to meet the demand that is placed on them.

On a more parochial note, I am aware of the serious concern that Lanarkshire does not receive the same funding levels as other parts of Scotland. I urge the cabinet secretary to fight to ensure that Scottish colleges receive the funding that they require to enable them to meet student demand for training and education.

There is no doubt that the demands of a global economy mean that Scotland must have a highly skilled and adaptable workforce, and we need to ensure that all parts of our education system work effectively to deliver that. We need to get the basics right, which is why the Labour Party and the other Opposition parties have lodged amendments to the Government's motion today.

If we do not ensure that we have sufficient schools that are modern and good environments in which to learn, and sufficient numbers of teachers, a curriculum that works and proper funding for further and higher education, our children and young people will not be able to compete in a global marketplace. It is time for the Scottish Government to begin to deliver improvements on those important issues.

15:59

Hugh O'Donnell (Central Scotland) (LD): It is not often that a back bencher such as me gets an opportunity to trump the cabinet secretary, or Mr Whitton, in reference to St Ninian's high school. I am an ex-pupil. I should add that it was in the days of Dr John Griffin, rather than the current principal.

I return to the motion. I acknowledge the legitimate concerns of all parties about the

curriculum for excellence, referring in particular to the comments of my colleague Margaret Smith, and I will widen the issue to foreign languages. Across the country, young people—apprentices just leaving their apprenticeships and other young people looking for work—find themselves in a situation that is not dissimilar from that in other parts of Europe. It is, however, quite easy for tradesmen and artisans from countries such as Poland, France, Germany and Italy to come and at least seek work in the United Kingdom. Their grasp of the English language in their fields of activity will be sufficient for them to get an application form and seek work. It is that much harder for those of us in Scotland, and the UK generally, to make the journey in the opposite direction.

Margo MacDonald: Will the member give way?

Hugh O'Donnell: Not at the moment, thank you. I conclude that Margo MacDonald is making her contribution to the debate in small chunks, rather than in one speech.

Michael Russell: It is all the better for that.

Margo MacDonald: I just want to know why it is harder for us.

Hugh O'Donnell: Our approach to language teaching is focused on attainment. It should be widened out. Important and useful as the statutory provision in our school system is, language teaching needs to be widened out into community learning and into projects where young people who might be disengaged from the formal education system have an opportunity to get involved. There is an example in my region, run through South Lanarkshire Council's youth work project at the Terminal One Youth Centre, where young people who have disengaged from the education system work on peer education and on the types of projects that Christina McKelvie was referring to last night. It was particularly interesting that every single one of the young speakers last night spoke English—and with a degree of fluency that some of us here might desire in our command of the language.

As Margo MacDonald mentioned earlier, this is a world where English dominates, and there are historical—sometimes not very nice—reasons for that being the case. We certainly need to ensure that the full range of educational resources is developed. The aim must be achievement as much as attainment. It is about giving people the confidence to engage with the waiter in a meaningful way, as opposed to raising one's voice and speaking as though to someone who was not fully comprehending when trying to get a beer, for instance, be it in Spain, Greece—

Margo MacDonald: Cerveza.

Hugh O'Donnell: That I know well, having been studying the language for long and weary. We need to widen the basis on which languages are taught. Again, I mention peer education, which the structures that are intended to be used in curriculum for excellence should support. As Margaret Smith and other members have said, we must ensure that teacher training gives teachers the capacity to provide that. It must form at least some part of teacher training, and I firmly believe that that approach should be rooted in the primary school system. Unfortunately—and I have some sympathy with Karen Whitefield's observations on this—cuts are impacting on the possibility of that being done.

It is critical that the Government takes a lead on delivering the level of service that our schools expect but we also need to ensure that the teachers have the confidence to take on the challenges. That must be reflected in the continuing professional development opportunities and not being obsessed with the number of people who are presented for examinations. We need to find a methodology that does not counsel pupils out of attempting examinations because it might have a detrimental effect on the overall attainment results. We are not yet at that stage.

Taking account of my colleague Margaret Smith's observations on the curriculum for excellence, I urge the cabinet secretary to ensure that delivering globalisation and building capacity in our society goes wider than the statutory provision of education, into community learning and community support for such learning.

16:06

Christopher Harvie (Mid Scotland and Fife) (SNP): I started my teaching career 44 years ago in the old Regent Road school teaching Post Office messenger boys who delivered telegrams on red motorcycles. In teaching terms, they were the north face of the Eiger—a crowd of cheeky wee devils—but after a few sessions, they were a delight to teach. They were competent mechanics, inquisitive and humane.

At a big meeting quite recently, I met one who is now on the board of British Telecom in Scotland. One never generalises about such groups, but tries to understand them. When they were out on their bikes, those boys delivered telegrams and, in a Scottish working home in the 1960s, telegrams meant only one thing. So they had to listen and comfort. Under the razzmatazz, they had the same sort of quiet strength as firemen or carers of old people. It is no wonder that so many of them did well. They emphasised what the great Scottish sociologist, Patrick Geddes, talked about and what Nehru recollected from India: the importance of hand, heart and head in education—Geddes

always spoke in triads. That is germane today, because it is important that teachers should ask what they can learn from and about the kids with whom they deal as much as how they can get material over to them.

Way back when I started teaching in the Open University, I came across a line from Thomas Carlyle:

"Instruction ... is no longer an indefinable tentative process, requiring a study of individual aptitudes";

it has become

"a secure, universal, straightforward business, to be conducted in the gross, by proper mechanism, with such intellect as comes to hand."

That is a damning statement. The Open University could so easily have become a steam intellect society, but that quotation on our desks was a warning sign.

It is important to have rote learning in an educational system—to have 12 times tables; have the value of punctuality dinned into you, as I have this afternoon, and to know how to spell. Because those things do not demand imagination, we forget about them; they come out automatically. It is important that we should grasp that. That said, we should also have the empathy—the broad culture—to make sense of the tsunami of facts that descends on us along the internet, which is a tremendous tool and a terribly bad master.

It is important to adapt to situations and not to impose a dogmatic method, which is why I have been intrigued by different experimental teaching methods, such as the storyline method that has been pioneered at Jordanhill College in Glasgow by Steve Bell and others. It concentrates language and reading fluency around a particular practical theme, making the students expand their vocabulary and text capability to cope with it as they progress and master it.

Secondly, we must gear ourselves up to tackle the issues and skills that we need to co-operate with, as much as compete against, other European Union countries. I say to Margo MacDonald that the issue of languages does come up in that context. I was informed at a meeting of the Economy, Energy and Tourism Committee that even a big German concern uses English at its board meetings. The man who told me that was a banker, who comes from a profession to which the words "lack of transparency" automatically attach themselves. One must bear it in mind that when it comes to manufacturing cars or engines, the language of command—the shop talk—over much of Europe is no longer English: it is German, or it may even be Chinese.

Margo MacDonald: Will the member take an intervention?

Christopher Harvie: No. I might take one when I get into the final straight.

We are, in fact, trying to do something about the language situation that I described. In my region of Fife, there is a project at St Marie's Roman Catholic primary school in Kirkcaldy called the great renewable energy race, which stresses gaining theory through practice, with pupils building and testing their own model vehicles that are driven by renewable power sources. They do not learn about just renewables from that hands-on approach. They work in co-operation with European primary schools, so the children use modern communications technology, thus boosting their language and computer skills, and they learn about other cultures.

That is timely, since along the coast from Rosyth to Levenmouth there is a possible rebirth of industry as the Forth array of offshore wind farms takes shape. We require young people with an interest in and knowledge of renewable technologies to install more in the future.

We also require a time out of education. Where I taught for many years, students would go into the community and work in social work and other professions for a year, before coming back into the university. They would start university with that philosophical grounding that we used to be taught in Scottish universities.

We must realise that we are not the only players in the business of energy, although it is a tremendous potential boost. There is an alternative, predictable source in North Africa, where the Desertec project could make the desert bloom again. With that in mind, the faster and better we teach our children in the areas and means that I described, the better we will be equipped to face the new technological and social future.

16:06

Ken Macintosh (Eastwood) (Lab): On Saturday morning, teachers will be joined by pupils, parents and probably politicians, too, at Kelvingrove park in Glasgow to march in support of Scottish education. The rally is being organised by the EIS as part of its "Why must our children pay?" campaign, and it is designed to highlight the need to invest in our children's education at this difficult economic time. The message is to resist cuts and any attempt to make pupils pay for difficulties that are not of their making.

The picture that the EIS paints of what is already happening in our schools is deeply worrying:

"We now have almost 2,500 fewer teachers in our classrooms than was the case just two years ago. This is"

leading to

"larger classes, with less teaching time ... Support staff numbers are also falling ... Even basic classroom resources such as books, paper, pencils ... are becoming increasingly scarce."

There is nothing particularly wrong or offensive in the motion for debate, but it is clear from the contributions from across the chamber that I am not the only one who finds it odd that the Government has put such a bland and almost purposeless statement before us, when our teachers are protesting on the streets of Scotland. Pupils and parents are worried about cuts in their schools, while the Government motion talks about improving our performance and applying a "global perspective". I think that that is what is called, to use a fashionable word, a disconnect. It is not just that the motion is a little too self-congratulatory; it is that it bears little relation to the reality of life in our schools and classrooms.

It is not as though there is any lack of issues on the cabinet secretary's desk that need his immediate attention.

At yesterday's meeting of the Education, Lifelong Learning and Culture Committee, we heard that the Scottish National Party had failed to introduce regulations to limit the maximum class size in P1 this autumn to 25, despite promising to do so as recently as September last year. Despite a series of rulings against local authorities across the country, the cabinet secretary's inaction has left parents in the unenviable position of having to battle it out with councils in our courts to secure a place for their child.

The Government's policy on class sizes is a shambles. Depending on where a child lives, they might be lucky enough to be one of the 13 per cent of pupils to have a class size of 18, but it is more likely, especially if the child is going into P1 this year, that the size of their class will be closer to 25. They may even be one of the growing number of unfortunates whose class size will be closer to 30. There is no equity in that situation, and there is no rationale for it, even though the class size policy was supposedly the flagship policy on which the SNP Government was elected.

Margo MacDonald: Will the member take an intervention?

Ken Macintosh: No, thank you.

At the moment in Scotland, thousands of teachers are struggling to find work. There is not an MSP in the Parliament who has not heard from a talented and enthusiastic probationer who has been brought low by the frustrating and dispiriting search for work and who is desperate to secure

even a supply place or, worse, who is considering leaving their chosen profession altogether.

The Government's answer to the problem, as confirmed in the Scottish Further and Higher Education Funding Council circular just last week, has been to cut the number of teacher training places by almost 1,600, thereby threatening the future of Moray House, Jordanhill and Scotland's other teacher training institutions. A hundred secondary postgraduate diploma places are to go, 500 BEd primary places will be lost and a staggering 950 primary postgraduate diploma places will be cut, reducing the number of places available in that area to just 400. The answer to the teacher employment crisis is to create more jobs, not to slash training places; that is what the cabinet secretary should be looking to do.

The motion talks about young Scots succeeding in the global marketplace, but the cabinet secretary refuses to express a view on something as simple as whether our children should have a basic grounding in modern languages. When I asked him repeatedly about modern languages in primary school at the Education, Lifelong Learning and Culture Committee three weeks ago, he simply refused to answer, saying that it was a matter for Graham Donaldson, who is conducting a review of initial teacher education. That is hardly the leadership of the education system that our young people deserve.

For those who are not familiar with it, the current situation is that training in modern languages for primary teachers is not a compulsory part of initial teacher training, even though it is a core part of the curriculum for excellence. In the absence of such training, local authorities are obliged to provide modern language courses for our primary school teachers. Members will not be surprised to hear that such local authority-funded courses have been axed in recent years and are among the first victims of the Scottish Government's failure to invest in local authorities and education. We have an Administration that, on the one hand, talks about the importance of internationalism, but which, on the other, is failing to address the real practical difficulties that our schools face.

Margo MacDonald: Will the member take an intervention?

Ken Macintosh: No, thank you.

Of course, the curriculum for excellence could be exactly the reform that is needed to improve our education system, to revitalise it and to make it more outward looking and more likely to engage learners who are currently disengaged, but as we know from last week's debate, the curriculum for excellence is suffering from drift and lack of investment. Quite simply, it has not been and is

not being given sufficient priority by the present Administration.

I would like to quote from an e-mail that I received from a constituent teacher just this week, which says:

"As you know, there is still much debate among teachers about the pros and cons of Curriculum for Excellence. Many of us 'Grumpy Old Men and Women' of the profession"

still worry that it is

"vague in content and substance as well as lacking intellectual rigour."

In my reply, I outlined my support for the curriculum for excellence. I know that there are plenty of enthusiasts for it among the profession, but the cabinet secretary owes it to the grumps of the profession, as well as to parents and pupils, to provide clarity and decisiveness, and I worry that the curriculum may be discredited before it has even got off the ground.

The SNP has been in power in Scotland for three years, but the gulf between what it says and what it does is greater than ever. Rather than waste the Parliament's time by getting it to debate vague and unfocused motions, the minister should concentrate on the issues that need his attention: a class size policy that people understand; protection of class sizes in the form of a legally enforceable upper limit, so that parents and pupils are not dragged through the courts; a clear expression of the importance of modern languages in the primary and secondary curriculums; an expression of clear commitment to and a sense of direction on the curriculum for excellence; and, perhaps most important of all, a commitment to invest in Scotland's education system through employing more teachers rather than training fewer of them. As the EIS said, why must our children pay for the failure of the SNP Government to invest in their education?

16:20

Jamie Hepburn (Central Scotland) (SNP): I will begin by focusing on the efforts that are under way to teach our children the concepts of global citizenship, before turning later to educational attainment in the traditional subjects.

I was struck by Ken Macintosh saying that we are debating a vague motion. The work on the internationalist agenda that is taking place throughout our schools is excellent and worthy of our consideration today—I will come on to some of the work that is going on in the area that I represent. In that regard, it is appropriate that we discuss the issues.

Ken Macintosh: Has Jamie Hepburn had any e-mails from constituents to complain about a lack

of internationalism in education? How many has he had from probationers or teachers who are worried about class sizes?

Jamie Hepburn: Given that my point was about the excellent work that is going on in international education, I have not had any e-mails to complain about it. I have had some e-mails from teachers who are concerned about their employment situation, and I have dealt with them as any MSP would.

It is appropriate that we have this debate during Fairtrade fortnight, as it is through fair trade in schools that many children learn about their rights and responsibilities as citizens of the world. The basic principles of fair trade—paying producers a fair price for their goods and ensuring that funds are invested to benefit the whole community—are readily understood by even the youngest of our schoolchildren.

In the Central Scotland region that I represent, I can think of a number of schools where global citizenship is embedded in the curriculum. Those efforts emphasise the importance of the part of the motion that refers to our children

“learning about Scotland and its place in the world”.

Whitelees primary school in Cumbernauld has worked hard to promote fair trade, and the staff and headteacher Ann Kay deserve great credit for those efforts. Indeed, Whitelees provides wonderful examples of citizenship education across the curriculum. Much work has been done to raise awareness of climate change, and the school is on track for its fourth eco-flag award.

I also spent time with the pupils of St Helen's primary school in Condorrat, discussing the Universal Declaration of Human Rights. It was inspiring to see the pupils respond so positively to the concepts and ideals contained in that document.

I think also of the time that I welcomed a group of primary 5 pupils from Carron primary school to the Parliament. I was inspired by some of the questions that they asked me; it was a tribute to the pupils and their teachers that they were prepared to think about and discuss a range of issues and ideas about how our society works and how we interact with the wider world.

There are many other examples. I was pleased to welcome a group of pupils from Nkhamenya girl's school in northern Malawi, which is in partnership with St Maurice's high school in Cumbernauld, to this Parliament in the past year or so.

The examples that I have cited are all evidence of how Scotland's education system can equip our students with a greater awareness of the world in

which we live and the responsibilities of being citizens of not just Scotland but the world.

We must also ensure that Scotland's pupils are endowed with the skills that they need to lead happy, successful and productive lives. After all, Scotland has a long and proud history of providing education for all and of understanding education as a force for breaking down social barriers. Of course we should be concerned about illiteracy and the number of students who leave school with poor numeracy skills. Where we once led the world, we have some more work to do, but we should take note of our pupils' many achievements and keep the situation in some context.

With an internationalist approach, we should rightly, as part of our country's future development, look at the policies and decisions that have made some of our near neighbours the most progressive and well-balanced societies in the world, particularly in education. Countries including Finland and the Netherlands and, further afield, New Zealand have recently been ranked above Scotland in the OECD's programme for international student assessment for science, maths and reading. It makes sense for us to look at those countries, as they are of comparable size to our own, to see whether there are lessons that we can learn.

I was struck by the many exchanges that Margo MacDonald has had about the value of modern languages, and I note the Liberal Democrat amendment, which is constructive and states that we should pay attention to the importance of modern languages. I noticed Margo MacDonald's rhetorical flourish in French, and I was tempted to respond by saying, “Civis Romanus sum,” which translates as, “I am a Roman Citizen.” As Christina McKelvie said, Latin was once the foremost language of the known world.

Although there are advantages to being endowed with the English language today, it is still relevant to learn other languages, because the situation changes. Perhaps we should learn other modern languages, those of the emerging economies, such as Portuguese for Brazil, Cantonese for China and Spanish for Latin America and much of the USA. We should not say that modern languages are not relevant in the modern world. I regret the fact that I do not have much grasp of a foreign language.

I conclude by focusing on one other area of international comparison in education. The Tories have of late stated that we should imitate elements of the Swedish model of education provision and funding, although they do not say anything about that in their amendment. I am a great admirer of the Scandinavian model, but it is surely worth mentioning that, in the OECD rankings, Sweden lies below Scotland for maths and science and is

only slightly ahead in reading—to say nothing of the less residential-based criteria for entry to its schools, which result in schools having less of a community character, and the fact that less emphasis is placed on keeping siblings together in schools in Sweden. We should also be prepared to learn what not to copy from other countries. I am sure that the minister will have comments to make on that.

The Deputy Presiding Officer (Trish Godman): I call Margo MacDonald to speak for two minutes.

16:26

Margo MacDonald (Lothians) (Ind): I very much appreciate it, Presiding Officer. I had no intention of taking part in today's debate, as I thought that I would still be in hospital—that is my excuse. Although I may have appeared to kick a few shibboleths during the debate, I merely asked questions because the purpose of debate is to test the assertions that are made. One that has been made today unconsciously—we are all guilty of it—is that it is a great idea for us all to learn foreign languages. In fact, it is a necessity—an imperative—and must be right at the top of the agenda. Must it? It needed to be previously, although I take on board what Chris Harvie said.

I speak poor-quality Portuguese and even worse French, and I can also have a shot at some of the other Mediterranean languages because I was lucky enough to be taught Latin alongside English, which is an idea that I have commended to previous education ministers. Nevertheless, I still think that other things should take precedence in the budget for Scottish education. The main point, which we have heard about today although it was skipped over, is whether the quality of our teacher training in colleges is what it used to be—not what it should be, which is probably better than what it used to be. According to many an old teacher, in attempting to cover too wide an area we have diluted the quality of our teacher training. I suggest that, if Finland is the benchmark, we should see how it and other countries are training their teachers.

I am grateful for the time to speak, but I will finish on this point. I mentioned America because, as far as I know, in most comparative tables of attainment America does not do all that well. However, there are specific areas in which the American education system excels. We should find out in what we need to excel. I commend Portuguese, because Brazil is a growing market.

16:28

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I was wondering how to sum

up the debate. We have had Mohammed in the mountains, a Swedish model, two Barry Whites and a certain *je ne sais quoi* from Margo MacDonald. I am glad that she got her two minutes, as I want to address some of the points that she made.

Few of us could find fault with the prose with which the cabinet secretary started the debate. There is no disagreement that our place in the world—and equally our view about education at home—depends on an outward-looking view of education provision.

In my constituency alone, over the past few years in which I have had the privilege of being an MSP, some amazing international work has been done. Peebles high school has, for three years in a row, launched its international learning initiative in this Parliament with the Edinburgh diplomatic corps and myself in attendance. Penicuik high school took over the whole garden lobby for a concert of dance and music with partner schools from Africa. I had discussions today with pupils from Galashiels academy, who are great ambassadors for their local school and community. They enjoyed watching First Minister's question time and they even thought that the very personalised to and fro between Iain Gray and Alex Salmond about hypnotists was funny, although it did not exactly reach the rhetorical heights of the Cabinet Secretary for Education and Lifelong Learning this afternoon. Work is also being done in Tweedbank primary school, which is now a finalist in the Euro quiz. Every year, the Euro quiz, by the European Movement, demonstrates that primary school pupils have a much greater understanding of the European Union than probably most members of this Parliament.

All of that goes to show that there is no disagreement that, if we give schools the opportunity, they will take it by being outward looking and open. However, that does not mean that, if there are questions, they should simply be rubbished as if we are not being as optimistic as everyone else, because we have to be realistic.

I quote:

“the Parliament recognises the importance of preparing young people for life in today's increasingly globalised society; agrees that all our young people should have an international education with opportunities to develop a knowledge and understanding of the world and Scotland's place in it; congratulates the many schools across Scotland that have made and continue to make links with schools across the world; agrees that the Curriculum for Excellence is the ideal vehicle to deliver international education in schools and equip young people with an understanding of, and the skills for, the modern world, and calls for the Scottish Government to bring forward a comprehensive national languages strategy including a rolling programme to introduce a second language early into primary

education and to secure economic benefit from the diverse language skills in a multicultural Scotland."

I point out to the cabinet secretary that that was a parliamentary resolution in April 2008. Two years on, the Scottish Government has not heeded that resolution, which was agreed by all parties in this Parliament, on the need for the Government to bring forward a proper languages strategy. That is important, because we need not only rhetoric but action.

I agree with the cabinet secretary on some issues, such as his reference to China and India as two examples.

Not that long ago, when Nicol Stephen was the education minister, the Chinese education minister visited Scotland to study our education system. He told us that five million young people were going to university in China that year; in other words, the equivalent of the entire population of Scotland. That is not only one hell of a freshers' week, but the context in which our young people will go into the global world. Four years ago, I was part of a parliamentary delegation that visited China. We were probably given the same message as the cabinet secretary was given. In India, there are 200,000 young people for every place at a further or higher education institution. That is the context of the world economy that our young people will enter.

I was recently lucky enough to give a presentation at a prize-giving ceremony at a secondary school in my constituency. I asked how many of the young people had an iPhone, an iPod or an MP3 player, and pretty much all of them put up their hands. I told them that the computing power of the devices in their pockets was the equivalent of that in all the computers in my home town when I was their age, even though I like to think that I am not one of the eldest members of the Parliament—*[Interruption.]* That is the point at which I lose most members in the chamber; it was going so well. That puts into context the rapid changes that will take place over the next decade, never mind the next generation.

I will address Margo MacDonald's point directly. Last night, the Scottish Tourism Forum held a reception for a crucial element of our economy. A constituent of mine who was at the reception is a consultant who works for UK Trade and Investment and is working with the Scottish Government and Scottish businesses. He stressed to me the forecast that we could increase revenue from tourism by 7 per cent if we utilised languages more widely in tourism booking portals, in tour materials for visitors to this country, and in businesses that are trading in emerging markets in India and China.

One element that I would like to draw to the Government's attention is contained in the statistics on teachers and pupils in Scotland, which are interesting and useful. Over the past year, the statistics have been used to show the total—and, as many members have pointed out, falling—number of teachers in Scotland. The statistics also show that in our schools the number of teachers from ethnic minorities, whether Asian Pakistani, Black Caribbean or whatever, is much lower than it should be. Eight councils have told us that Cantonese is one of the three main languages other than English in their areas, yet according to the Government's statistics there are no Chinese primary school teachers in Scotland. In addition, 1.27 per cent of children in Scotland are Pakistani; if the same percentage applied to teachers, there would be 220 Pakistani teachers. However, there are only 23.

If we believe in immersion education and if we want not only to challenge but to be part of the emerging global market, we need to do more. For a start, the Government needs to implement the resolution that the Parliament agreed to two years ago.

16:35

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

It is customary for winding up speakers to praise the quality of the debate and the well-informed contributions from all sides of the chamber. However, try as I might, I cannot bring myself to do so at the end of a debate that, with few exceptions, has been tedious and full of speeches that, on the one hand, were full of empty praise for international education and, on the other, were tiresome Opposition rehashes of criticisms of SNP Government policy that we have heard many times before. If I feel sorry for anyone, it is the pupils from St Ninian's who have joined us this afternoon and have had to sit through this drivel for the past two hours. At least we can console ourselves with the fact that we are being paid to be here; they have no such consolation. I assure them that it is not always as bad as this and that occasionally it gets better.

As a number of members have pointed out, given all the education issues at the moment, it is something of a surprise that the Government decided to lodge a motion on international education. That is not in any way to diminish the subject's importance but, as Jeremy Purvis has just reminded us, we debated it less than two years ago, and I am not convinced that much has moved on in the meantime. With all the issues about standards of literacy and numeracy, with the debate raging about the structure of education and the Government's indication that it is prepared to consider trust schools, with the issues about falling

teacher numbers and probationers' difficulties in finding employment, and with the Government's failure to deliver on its class sizes policy, I am left wondering why this subject is seen as the burning issue in Scottish education. In saying that, I realise that I am just as capable as anyone else of tiresomely rehashing criticisms of the Scottish Government.

Hugh O'Donnell: Much more capable.

Murdo Fraser: Indeed. Thank you, Mr O'Donnell.

The amendments have allowed us to broaden the debate's scope—and thank goodness for that. The Labour amendment expresses concern about curriculum for excellence and the fact that there is still uncertainty in our secondary schools about how it will work, and highlights the need for a refocused skills strategy. My colleague Elizabeth Smith again stressed the importance of youngsters acquiring basic skills before they leave the school system. Any such approach must be backed up with rigorous testing, and we must ensure that new exams are more suited to individual pupils' needs. The Liberal Democrat amendment makes a fair point about the need to teach modern languages, a point that Margo MacDonald has made throughout the debate, and to ensure that teacher training is as good as it can be. Like Ken Macintosh, however, I find the Government motion to be too self-congratulatory. At one time, Scotland might indeed have enjoyed an

"international reputation ... for excellence in education"

but I fear that in more recent times that reputation has slipped.

The cabinet secretary referred rather disparagingly to international league tables. However, international comparisons show clearly that, over the past decade or so, Scottish education has more or less flatlined while other countries' performance has improved and, indeed, overtaken ours. Although historically we had a reputation for excellence, suggesting that we necessarily have the same today shows a worrying degree of complacency on the part of the cabinet secretary. For that reason, we have difficulty with that section of the Government motion. There is much that is good in the Scottish education system, but we cannot afford to rest on our laurels and believe that everything in the garden is rosy.

I welcome the part of the motion that

"notes the Scottish Government's determination to learn from other countries' education systems".

As members know, we on this side of the chamber have taken a close interest in the Swedish education system, in which parents and other

groups are allowed to set up their own schools with state funding.

I assure Jamie Hepburn, who I know is interested in that subject, that if he waits patiently until next Thursday, he may well hear more about it in Conservative debating time. [Interruption.] I hear how delighted Labour members are that we will have another education debate next Thursday morning. I am glad that there is so much interest in the subject in the chamber.

We always hear from the SNP that we should take a lead from small European countries, so I hope that it will be prepared to consider structures that are being employed in countries such as Sweden. Indeed, the cabinet secretary is on record as saying in the past that he supports choice and diversity in the education system. I hope that he genuinely has an open mind about learning from other countries.

Elizabeth Smith mentioned vocational education. There is a growing consensus that we should be doing more in that area. In particular, we should consider examples from countries such as Germany, which does vocational education well. It is interesting that Germany still has a strong science, technical and manufacturing base—I am sure that Professor Harvie would confirm that. It is no coincidence that youngsters there are encouraged to develop skills in those areas while they are still at school.

In a YouGov poll last weekend, Scottish voters were asked which political parties would handle education problems best. It is perhaps unsurprising that Labour came out on top in that poll, but the Conservatives came in second place—they beat the SNP into third place. If the cabinet secretary wants to improve his poll ratings, perhaps he should start to take lessons from us on how Scottish education should be reformed and consider what happens in the other countries that I have mentioned.

I hope that my modest contribution to the debate has raised its quality—although I doubt it—and that members have found my speech slightly less tedious than I found theirs. I also doubt that.

I am pleased to support the amendment in the name of Elizabeth Smith.

16:41

David Whitton (Strathkelvin and Bearsden) (Lab): I am pleased to speak in support of the Labour amendment and will concentrate on the provision of skills training. I hope that when we reach the end of the debate Labour is again on top and the Tories are lagging behind, as usual.

I have a particular challenge today because pupils of St Ninian's high school, which is literally

round the corner from my house, are in the gallery. I am worried that they will give me marks out of 10.

Michael Russell: Nul points.

David Whitton: Mr Russell simply could not resist saying, "Nul points." I am afraid that he is getting that score in this debate.

Education offers many advantages and it can open many doors. Indeed, the theme of the debate—

"Educating Children and Young People to Compete in a Globalised 21st Century"—

offers much promise, but the Government has not yet delivered a skills strategy that the Parliament has approved. Does not Scotland's wealth as a nation and our ability to create a more inclusive society depend solely on productivity and employment? Education and life skills are interlinked, as are productivity and employment; neither can exist without the other. As President Obama said,

"no matter what you want to do with your life, I guarantee that you'll need an education to do it"

but for many young Scots that is simply not the case.

I recently met Rathbone Training, which is a voluntary educational and training charity that has 12 centres throughout Scotland. It works closely with Skills Development Scotland, Jobcentre Plus, local education authorities and schools. It fulfils a desperate need to catch school leavers and teenagers with employability issues before they fall completely out of the net. It is currently engaged with 3,500 young people throughout Scotland on programmes such as the get ready for work and life skills programmes. It allows teenagers to learn the basics, which can be as simple as turning up on time. Many of those children have real problems and chaotic lifestyles.

It is a sad fact that not all school leavers have the educational attainment to move straight into a job, a college place or a modern apprenticeship scheme. The basic requirements for those are a step too far for many. Statistics show that, in 2008, nearly 25 per cent of 16 to 19-year-olds in the 15 per cent most deprived areas were not in employment, education or training. However, as we heard during First Minister's question time today, our skills body has an underspend on programmes to help that group and is involved in expensive events with hypnotists.

Keith Brown: Will David Whitton acknowledge the fact that Rathbone Training, which he has just mentioned, is one of the co-funders of the event that he has been so critical of, as are South Lanarkshire Council and North Lanarkshire Council?

David Whitton: I think that the member will find that the main body behind it is Skills Development Scotland.

What we have heard today is a story that compounds the story of failure. *[Interruption.]* Mr Russell will have to wait.

There has been a failure to spend the budget that has been set aside to help youngsters who are furthest away from jobs. No doubt there is a variety of reasons and, when he gets his chance in his summing up, the minister will trot out some of them, but if we are serious about preparing youngsters for the 21st century economy we have to ensure that all youngsters, regardless of ability, get the chance to grab those opportunities.

Frankly, not being able to spend 20 per cent of the budget for get ready for work schemes in Lanarkshire raises serious questions—*[Interruption.]* It is true. If the minister has something to say he should get up and say it or wait his turn. I understand that there is a 10 per cent underspend on that programme throughout Scotland that amounts to some £3 million. If we are to operate in a global society, should we not be doing all that we can and spending every penny that is allocated to ensure that youngsters in this situation are not destined to a life on the scrap heap?

It is not the Government's only area of failure. Perhaps we need to concentrate more on preparing students for college or careers rather than focusing solely on testing for examinations. Curriculum for excellence should do more to promote engagement between school and employment. From what I have heard from employers and others throughout the country, we need more engagement with business leaders to help bridge the gap between education and the world of work.

Back in January, at the jobs summit in Glasgow, Mr Russell announced that Scottish businesses were being offered £1,000 to invest in an apprentice. The scheme ran out of money in a fortnight. Granted, 4,500 young people got places, but many more could have done. For Scotland's young people to compete in the globalised 21st century, the simple fact is that we need a highly educated work force that is beyond compare.

Last week, I met Lorraine Hubbard, the UK training officer for corporate giant Siemens. Although it operates a global education programme for its staff, its generation 21 programme focuses on children and young adults at pre-school, school and university levels, to help awaken and develop an interest in the work of technology and related careers. Ms Hubbard has been instrumental in creating a new training scheme at Carnegie College in Dunfermline to put

12 youngsters through a new modern apprenticeship in turbine technology. Starting in September, the scheme will allow those lucky 12 access courses to education to gain their City and Guilds certificate for a new technology in which Scotland could lead the world. Indeed, Ms Hubbard went so far as to say that those youngsters could be entering a job for life. There are not many people who can say that.

The idea came about purely because Siemens cannot match the demand for technicians and decided that it had to do something about it for itself. We need to provide support to businesses that give young people a job, apprenticeship or internship, not take it away. Employers need to be central to the skills agenda, with systems aligned to labour market needs. Businesses throughout Scotland say consistently that they are never properly engaged in educational reform. According to the Confederation of British Industry, developing employability should be a core function of education.

The pupils from St Ninian's have, as Mr Fraser mentioned, sat through our debate this afternoon. It is a great pity that Mr Russell had to cancel his visit to the school. If he had come to St Ninian's he would have found a brand new school that opened only this summer; it is one of six new secondaries in East Dunbartonshire that have been built as part of a £100 million public-private partnership scheme. It gives the pupils some of the best equipment and educational opportunities in the country. Every child should have that same opportunity. Karen Whitefield was right to remind the chamber of the lack of action by the Scottish Futures Trust in building new schools for our pupils.

SNP members have moaned all afternoon about the Labour Party's amendment. I know that they have to be ultra loyal but, sadly for them, it is the job of the Opposition to hold the Government to account. Elizabeth Smith reminded us that a good education should be available to everyone. Hear, hear. Margaret Smith offered statistics that show that, despite the best efforts of teachers and schools, far too many of our youngsters leave school unable to read, write or add up properly.

"Skills for Scotland" says that the

"Scottish Ministers would develop a Skills Strategy for Scotland to be produced within the first 100 days".

That was 9 June 2007. The SNP is now almost 1,000 days into its administration but still no skills strategy has been approved by this Parliament.

In the recent skills debate I asked for another skills summit. I wrote to Mr Brown to ask him to discuss the idea. The reply from his office was that he has a busy diary and will get in touch in the future. So much for consensus.

It is clear that education and skills policy is the weakest link in the SNP Government. The Government has let down students, pupils and parents throughout Scotland, which has cost it dear and cost one cabinet secretary her job. More urgency is needed from Mr Russell and his department. He needs to listen more and talk less. He should listen to teachers such as Mr McGinley, who will tell him about the difficulties with the curriculum for excellence; to employers, who say that many young people are not ready for the world of work when they leave school; and to business organisations that detail the areas that can lead to economic growth and the creation of jobs for our school leavers.

Most of all, Mr Russell should be prepared to listen to the Parliament. He and the SNP have no monopoly on education ideas. They should be humble enough to accept that and to embrace some suggestions that they have heard today. When he opened the debate, the cabinet secretary said:

"the Government's job"

is

"to show ... leadership and direction".

It is time for him to show some.

16:50

Michael Russell: I have slight sympathy for the position that Murdo Fraser took. Two paragraphs in the notes for my closing speech, which other people have of course suggested to me, say:

"I welcomed this debate ... as it has given us the opportunity to restate the Scottish Government's commitment to international education",

which is certainly true,

"and to promoting learning in contexts which go ... beyond our ... borders",

which is also true,

"and to the importance more generally of meaningful, joined-up international engagement",

which is true, too. But we then come to a problem. The notes say:

"The Government wanted to provide an opportunity for a thoughtful and informed debate that would"—

I make a serious point—

"be a credit to the recent HMIE guide on international education in schools; and which also reflected the importance of taking an international perspective, in its broadest sense, in Scotland's education system to each and every party in this Parliament ... By and large I think we have achieved this."

That is the problem.

Perhaps I could take my lead from Christina McKelvie, who talked about glasses that are half

empty and half full. I will delineate the parties' approach to the debate. The Lib Dems have been positive—their glass is half full and they are just slightly suspicious of the people who filled it. The Tories' glass is half empty and they are suspicious of anybody such as me who might attempt to fill it. The Labour Party creates the biggest problem. I will be serious in a moment, so what follows will be my only jocular remark about the Labour Party's poor and positively dangerous approach. Labour does not even have a glass—it thinks that the SNP stole its glass. Unfortunately, that is where the Labour Party comes from today.

We wondered why First Minister's question time was dominated by what will turn out to be very dodgy pieces of information about skills. The reality is that that was one way of setting up the debate. The Labour Party is so blinded by oppositionalism that it has lost sight of the prize, which is ensuring that skills and education in Scotland are as good as they can be.

Last week's debate about how to develop skills and education was positive and consensual. We have an agreement about that. The curriculum for excellence is the right approach to move that forward. No MSP—especially not me—has real expertise in international education, but others have, and I am sure that they will confirm that the approach of the curriculum for excellence is to join up subjects, to provide opportunities throughout a school and to ensure that literacy and numeracy are part of international education. That is not an add-on or an extra; that is one way in which young people gain experience and education. It is a pity that nobody in the Labour Party has acknowledged that.

If Labour members had even read HMIE's report they would realise that what I have described is the case. I will take out just one quotation, which is from a pre-school child who will not be learning Mandarin in the next week or two or learning a language in which to order a beer when travelling the world. That child, who is involved in international education, said:

"The world is not big. We went round the world in the nursery. We learned about Italy and what children do"

there.

"We learned songs and stories. We say words they know. We like Glasgow but we like Milan too!"

I suspect that literacy and numeracy were at the heart of that experience. They are at the heart of international education.

I will address one or two of the issues that have been raised; I will not have time to address them all. I want to address some of the points that Margaret Smith made. She made some good points, but the pupil teacher ratio in Scotland is improving. If one argues strongly that we need

more teachers in Scotland, one has to say where we will get them and how we will pay for them, because Lib Dem councils, Labour councils and SNP councils are all facing real difficulties. *[Interruption.]* I will come to why that is the case in a moment. I hear some questions about that.

Margaret Smith: Will the cabinet secretary take an intervention?

Michael Russell: No. I am sorry, but I have far too much to get through.

It is also true that the pass rates and participation in language learning in Scotland are rising, not falling. It is important to recognise that. There are myths about the position, but I am sure that Margaret Smith will accept that there are rises in whole areas of that work.

Margaret Smith: Will the cabinet secretary take an intervention?

Michael Russell: I would really like to make some progress. I am sorry.

The reason there are difficulties in one or two authorities is undoubtedly cuts. Ken Macintosh made much of those. Karen Whitefield is the member who said the most about them. What she seemed absolutely blind to is the culpability of her own party—not once, not twice, but three times. She mentioned all three in her speech. First, this perfect storm of difficulty in some authorities was created by the Labour recession. Secondly, it is exacerbated by Labour cuts at Westminster. If that was not enough, Labour's profligacy on the PPP scheme—Labour putting profit before pupils—has created an enormous pressure on those budgets. *[Interruption.]*

The Deputy Presiding Officer: Order.

David Whitton: Will the cabinet secretary take an intervention?

Michael Russell: The storm came from Labour, and Labour members should hang their heads in shame.

David Whitton: Will the cabinet secretary take an intervention?

The Deputy Presiding Officer: Mr Whitton, the cabinet secretary is not taking an intervention.

Michael Russell: No, I will not.

Hugh O'Donnell, on the other hand, made a measured contribution and I commend him for it. *[Interruption.]*

The Deputy Presiding Officer: Order.

Michael Russell: In discussing the curriculum for excellence, he stressed the importance of the community context of languages and learning. That is absolutely correct. We will take his

comment away and ensure that we consider it carefully.

I am conscious of the time, Presiding Officer. I want to finish with the Labour contribution, such as it was. In the early part of the debate, I described the Labour Party's approach as dangerous. I do not in any sense have difficulty with the type of criticism in the debate. Jeremy Purvis raised some good, honest and true points on the matter. If we are looking for a clue as to what Labour is really up to, we must always look to the disingenuous actions of Ken Macintosh, because he will always go too far. He will always go that bit further because he cannae stop himself. What we heard was extraordinary. He went through a set of criticisms that were, as usual, half truths disguised as facts, then we came to the real coup de grace. I will say what it was.

In this afternoon's debate, we have been attempting to celebrate real achievement in Scotland—real achievement by, and I will list them, Anderson high school, Bathgate academy, Buckie high school, Cauldeen primary school, Clyde Valley high school, Dalmarnock primary school, the children and families department at the City of Edinburgh Council, Fortrose academy, Glendelvine primary school, John Paul academy, Juniper Green primary school, Knox academy, Perth high school, Portlethen academy, Shawlands academy, St David's high school, St Ninian's high school, St John's primary school, St Thomas primary school, St Timothy's primary school, Whiteness primary school, Woodacre nursery school and Woodhill primary school. *[Interruption.]*

The Presiding Officer (Alex Fergusson): Order. We have had enough sedentary interventions from all parts of the chamber.

Michael Russell: All those schools were commended in the HMIE report. What did Ken Macintosh say about commending them? He said that we were wasting our time. What a reflection on individual achievement. As ever, we saw him go too far.

Finally, let me make one telling point. In the whole farrago of criticism that came from Des McNulty, in that dressing up of naked resentment that he is not in government, there is one fact that he missed out. I do not mind if he lambasts me, even in personal terms, though he did so, but he attacked civil servants in Scotland and their involvement in the process.

The curriculum for excellence management board as set up by the Government of which Mr McNulty was a member had only civil servants on it—four organisations only. This Government widened it and brought in teachers and those with real experience and drove it forward.

I have here the record of what Labour did on curriculum for excellence. It was nothing—it was essentially a waste of time. Thank goodness this Government has it in hand and is driving it forward.

Margaret Smith: On a point of order, Presiding Officer. For the record, I want to address a factual inaccuracy in what the cabinet secretary said a moment ago. Mr Russell said that the pupil teacher ratio is improving. In fact, the latest national statistics publication, "Teachers in Scotland 2009", shows that the pupil teacher ratio is increasing, but that is not a good thing: the figure went from 12.9 in 2008 to 13.2 this year.

The Presiding Officer: **Officer:** As Ms Smith said, that was for the record. I think she recognises that it was not a point of order.

Decision Time

17:01

The Presiding Officer (Alex Fergusson): We come to decision time. There are eight questions to be put as a result of today's business.

The first question is, that amendment S3M-5872.1, in the name of Alex Neil, which seeks to amend motion S3M-5872, in the name of Patricia Ferguson, on factoring services, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-5872.3, in the name of Mary Scanlon, which seeks to amend motion S3M-5872, in the name of Patricia Ferguson, on factoring services, be agreed to. Are we agreed?

Members: No.

For

Aitken, Bill (Glasgow) (Con)
Brown, Gavin (Lothians) (Con)
Brownlee, Derek (South of Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Goldie, Annabel (West of Scotland) (Con)
Johnstone, Alex (North East Scotland) (Con)
Lamont, John (Roxburgh and Berwickshire) (Con)
McLetchie, David (Edinburgh Pentlands) (Con)
Milne, Nanette (North East Scotland) (Con)
Mitchell, Margaret (Central Scotland) (Con)
Scanlon, Mary (Highlands and Islands) (Con)
Scott, John (Ayr) (Con)
Smith, Elizabeth (Mid Scotland and Fife) (Con)

Against

Alexander, Ms Wendy (Paisley North) (Lab)
Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Baker, Richard (North East Scotland) (Lab)
Boyack, Sarah (Edinburgh Central) (Lab)
Brankin, Rhona (Midlothian) (Lab)
Brown, Robert (Glasgow) (LD)
Butler, Bill (Glasgow Anniesland) (Lab)
Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
Curran, Margaret (Glasgow Baillieston) (Lab)
Eadie, Helen (Dunfermline East) (Lab)
Ferguson, Patricia (Glasgow Maryhill) (Lab)
Finnie, Ross (West of Scotland) (LD)
Gillon, Karen (Clydesdale) (Lab)
Glen, Marlyn (North East Scotland) (Lab)
Godman, Trish (West Renfrewshire) (Lab)
Gordon, Charlie (Glasgow Cathcart) (Lab)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Harper, Robin (Lothians) (Green)
Harvie, Patrick (Glasgow) (Green)
Henry, Hugh (Paisley South) (Lab)
Hume, Jim (South of Scotland) (LD)
Kelly, James (Glasgow Rutherglen) (Lab)
Kerr, Andy (East Kilbride) (Lab)
Lamont, Johann (Glasgow Pollok) (Lab)
Livingstone, Marilyn (Kirkcaldy) (Lab)
Macdonald, Lewis (Aberdeen Central) (Lab)
Macintosh, Ken (Eastwood) (Lab)
Martin, Paul (Glasgow Springburn) (Lab)

McArthur, Liam (Orkney) (LD)
McAveety, Mr Frank (Glasgow Shettleston) (Lab)
McCabe, Tom (Hamilton South) (Lab)
McConnell, Jack (Motherwell and Wishaw) (Lab)
McInnes, Alison (North East Scotland) (LD)
McMahon, Michael (Hamilton North and Bellshill) (Lab)
McMillan, Stuart (West of Scotland) (SNP)
McNeill, Pauline (Glasgow Kelvin) (Lab)
McNulty, Des (Clydebank and Milngavie) (Lab)
Murray, Elaine (Dumfries) (Lab)
O'Donnell, Hugh (Central Scotland) (LD)
Park, John (Mid Scotland and Fife) (Lab)
Peacock, Peter (Highlands and Islands) (Lab)
Peattie, Cathy (Falkirk East) (Lab)
Pringle, Mike (Edinburgh South) (LD)
Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
Scott, Tavish (Shetland) (LD)
Smith, Elaine (Coatbridge and Chryston) (Lab)
Smith, Iain (North East Fife) (LD)
Smith, Margaret (Edinburgh West) (LD)
Stephen, Nicol (Aberdeen South) (LD)
Stewart, David (Highlands and Islands) (Lab)
Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
Tolson, Jim (Dunfermline West) (LD)
Whitefield, Karen (Airdrie and Shotts) (Lab)
Whitton, David (Strathkelvin and Bearsden) (Lab)

Abstentions

Adam, Brian (Aberdeen North) (SNP)
Allan, Alasdair (Western Isles) (SNP)
Brown, Keith (Ochil) (SNP)
Campbell, Aileen (South of Scotland) (SNP)
Coffey, Willie (Kilmarnock and Loudoun) (SNP)
Constance, Angela (Livingston) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perth) (SNP)
Don, Nigel (North East Scotland) (SNP)
Doris, Bob (Glasgow) (SNP)
Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
Fabiani, Linda (Central Scotland) (SNP)
FitzPatrick, Joe (Dundee West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gibson, Rob (Highlands and Islands) (SNP)
Grahame, Christine (South of Scotland) (SNP)
Harvie, Christopher (Mid Scotland and Fife) (SNP)
Hepburn, Jamie (Central Scotland) (SNP)
Hyslop, Fiona (Lothians) (SNP)
Ingram, Adam (South of Scotland) (SNP)
Kidd, Bill (Glasgow) (SNP)
Lochhead, Richard (Moray) (SNP)
MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
MacDonald, Margo (Lothians) (Ind)
Marwick, Tricia (Central Fife) (SNP)
Mather, Jim (Argyll and Bute) (SNP)
Matheson, Michael (Falkirk West) (SNP)
Maxwell, Stewart (West of Scotland) (SNP)
McKee, Ian (Lothians) (SNP)
McKelvie, Christina (Central Scotland) (SNP)
McLaughlin, Anne (Glasgow) (SNP)
Morgan, Alasdair (South of Scotland) (SNP)
Neil, Alex (Central Scotland) (SNP)
Paterson, Gil (West of Scotland) (SNP)
Robison, Shona (Dundee East) (SNP)
Russell, Michael (South of Scotland) (SNP)
Salmond, Alex (Gordon) (SNP)
Somerville, Shirley-Anne (Lothians) (SNP)
Sturgeon, Nicola (Glasgow Govan) (SNP)
Swinney, John (North Tayside) (SNP)
Thompson, Dave (Highlands and Islands) (SNP)
Watt, Maureen (North East Scotland) (SNP)
Welsh, Andrew (Angus) (SNP)

White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 13, Against 57, Abstentions 46.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S3M-5872.2, in the name of Robert Brown, which seeks to amend motion S3M-5872, in the name of Patricia Ferguson, be agreed to.

Amendment agreed to.

The Presiding Officer: The next question is, that motion S3M-5872, in the name of Patricia Ferguson, on factoring services, as amended, be agreed to.

Motion, as amended, agreed to.

That the Parliament notes that the Office of Fair Trading market study into the property management market found that the market is not working well for consumers in Scotland; welcomes the recent cross-party support for proposals to require property factors to register and to make provision for an accessible form of dispute resolution between homeowners and property factors; further welcomes this positive progress toward the introduction of legislation to ensure better accountability of property managers for their standards and the services that they provide; seeks to ensure that the appropriate authorities are given the powers necessary for effective enforcement of any new legislation, and calls on the Scottish Government to give consideration to the introduction of a mandatory accreditation scheme to cover private, public and voluntary sector property managers.

The Presiding Officer: The next question is, that amendment S3M-5871.1, in the name of Des McNulty, which seeks to amend motion S3M-5871, in the name of Michael Russell, on educating children and young people to compete in a globalised 21 st century, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)

Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahan, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)

Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 70, Against 48, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-5871.3, in the name of Elizabeth Smith, which also seeks to amend motion S3M-5871, in the name of Michael Russell, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marlyn (North East Scotland) (Lab)
 Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)

Gray, Iain (East Lothian) (Lab)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

McMillan, Stuart (West of Scotland) (SNP)

Abstentions

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Harper, Robin (Lothians) (Green)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Hepburn, Jamie (Central Scotland) (SNP)

Hyslop, Fiona (Lothians) (SNP)
 Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

The Presiding Officer: The result of the division is: For 70, Against 1, Abstentions 47.

Amendment agreed to.

The Presiding Officer: The next question is, that amendment S3M-5871.2, in the name of Margaret Smith, which seeks to amend motion S3M-5871, in the name of Michael Russell, be agreed to.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S3M-5871, in the name of Michael Russell, as amended, on educating children and young people to compete in a globalised 21 st century, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Aitken, Bill (Glasgow) (Con)
 Alexander, Ms Wendy (Paisley North) (Lab)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Baker, Richard (North East Scotland) (Lab)
 Boyack, Sarah (Edinburgh Central) (Lab)
 Brankin, Rhona (Midlothian) (Lab)
 Brown, Gavin (Lothians) (Con)
 Brown, Robert (Glasgow) (LD)
 Brownlee, Derek (South of Scotland) (Con)
 Butler, Bill (Glasgow Anniesland) (Lab)
 Chisholm, Malcolm (Edinburgh North and Leith) (Lab)
 Craigie, Cathie (Cumbernauld and Kilsyth) (Lab)
 Curran, Margaret (Glasgow Baillieston) (Lab)
 Eadie, Helen (Dunfermline East) (Lab)
 Ferguson, Patricia (Glasgow Maryhill) (Lab)
 Finnie, Ross (West of Scotland) (LD)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gillon, Karen (Clydesdale) (Lab)
 Glen, Marilyn (North East Scotland) (Lab)

Godman, Trish (West Renfrewshire) (Lab)
 Goldie, Annabel (West of Scotland) (Con)
 Gordon, Charlie (Glasgow Cathcart) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Harvie, Christopher (Mid Scotland and Fife) (SNP)
 Henry, Hugh (Paisley South) (Lab)
 Hume, Jim (South of Scotland) (LD)
 Johnstone, Alex (North East Scotland) (Con)
 Kelly, James (Glasgow Rutherglen) (Lab)
 Kerr, Andy (East Kilbride) (Lab)
 Lamont, Johann (Glasgow Pollok) (Lab)
 Lamont, John (Roxburgh and Berwickshire) (Con)
 Livingstone, Marilyn (Kirkcaldy) (Lab)
 Macdonald, Lewis (Aberdeen Central) (Lab)
 MacDonald, Margo (Lothians) (Ind)
 Macintosh, Ken (Eastwood) (Lab)
 Martin, Paul (Glasgow Springburn) (Lab)
 McArthur, Liam (Orkney) (LD)
 McAveety, Mr Frank (Glasgow Shettleston) (Lab)
 McCabe, Tom (Hamilton South) (Lab)
 McConnell, Jack (Motherwell and Wishaw) (Lab)
 McInnes, Alison (North East Scotland) (LD)
 McLetchie, David (Edinburgh Pentlands) (Con)
 McMahon, Michael (Hamilton North and Bellshill) (Lab)
 McNeill, Pauline (Glasgow Kelvin) (Lab)
 McNulty, Des (Clydebank and Milngavie) (Lab)
 Milne, Nanette (North East Scotland) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Murray, Elaine (Dumfries) (Lab)
 O'Donnell, Hugh (Central Scotland) (LD)
 Park, John (Mid Scotland and Fife) (Lab)
 Peacock, Peter (Highlands and Islands) (Lab)
 Peattie, Cathy (Falkirk East) (Lab)
 Pringle, Mike (Edinburgh South) (LD)
 Purvis, Jeremy (Tweeddale, Ettrick and Lauderdale) (LD)
 Rumbles, Mike (West Aberdeenshire and Kincardine) (LD)
 Scanlon, Mary (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland) (LD)
 Simpson, Dr Richard (Mid Scotland and Fife) (Lab)
 Smith, Elaine (Coatbridge and Chryston) (Lab)
 Smith, Elizabeth (Mid Scotland and Fife) (Con)
 Smith, Iain (North East Fife) (LD)
 Smith, Margaret (Edinburgh West) (LD)
 Stephen, Nicol (Aberdeen South) (LD)
 Stewart, David (Highlands and Islands) (Lab)
 Stone, Jamie (Caithness, Sutherland and Easter Ross) (LD)
 Tolson, Jim (Dunfermline West) (LD)
 Whitefield, Karen (Airdrie and Shotts) (Lab)
 Whitton, David (Strathkelvin and Bearsden) (Lab)

Against

Adam, Brian (Aberdeen North) (SNP)
 Allan, Alasdair (Western Isles) (SNP)
 Brown, Keith (Ochil) (SNP)
 Campbell, Aileen (South of Scotland) (SNP)
 Coffey, Willie (Kilmarnock and Loudoun) (SNP)
 Constance, Angela (Livingston) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perth) (SNP)
 Don, Nigel (North East Scotland) (SNP)
 Doris, Bob (Glasgow) (SNP)
 Ewing, Fergus (Inverness East, Nairn and Lochaber) (SNP)
 Fabiani, Linda (Central Scotland) (SNP)
 FitzPatrick, Joe (Dundee West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gibson, Rob (Highlands and Islands) (SNP)
 Grahame, Christine (South of Scotland) (SNP)
 Hepburn, Jamie (Central Scotland) (SNP)
 Hyslop, Fiona (Lothians) (SNP)

Ingram, Adam (South of Scotland) (SNP)
 Kidd, Bill (Glasgow) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacAskill, Kenny (Edinburgh East and Musselburgh) (SNP)
 Marwick, Tricia (Central Fife) (SNP)
 Mather, Jim (Argyll and Bute) (SNP)
 Matheson, Michael (Falkirk West) (SNP)
 Maxwell, Stewart (West of Scotland) (SNP)
 McKee, Ian (Lothians) (SNP)
 McKelvie, Christina (Central Scotland) (SNP)
 McLaughlin, Anne (Glasgow) (SNP)
 McMillan, Stuart (West of Scotland) (SNP)
 Morgan, Alasdair (South of Scotland) (SNP)
 Neil, Alex (Central Scotland) (SNP)
 Paterson, Gil (West of Scotland) (SNP)
 Robison, Shona (Dundee East) (SNP)
 Russell, Michael (South of Scotland) (SNP)
 Salmond, Alex (Gordon) (SNP)
 Somerville, Shirley-Anne (Lothians) (SNP)
 Sturgeon, Nicola (Glasgow Govan) (SNP)
 Swinney, John (North Tayside) (SNP)
 Thompson, Dave (Highlands and Islands) (SNP)
 Watt, Maureen (North East Scotland) (SNP)
 Welsh, Andrew (Angus) (SNP)
 White, Sandra (Glasgow) (SNP)
 Wilson, Bill (West of Scotland) (SNP)
 Wilson, John (Central Scotland) (SNP)

Abstentions

Harper, Robin (Lothians) (Green)
 Harvie, Patrick (Glasgow) (Green)

The Presiding Officer: The result of the division is: For 71, Against 45, Abstentions 2.

Motion, as amended, agreed to,

That the Parliament recognises that in the globalised and increasingly interconnected 21st century it is essential that young people are equipped with the skills and capacities needed to succeed in the global marketplace; regrets the absence of a coherent skills strategy and the lack of preparedness for implementation of the Curriculum for Excellence, particularly the lack of detail regarding the new qualifications and provision for vital continuing professional development; notes the Scottish Government's determination to learn from other countries' education systems to ensure that Scotland further improve its performance and applies a global perspective to its approach and ambitions; believes that the priorities for parents and teachers across Scotland are substantial improvements in basic standards of literacy and numeracy, greater rigour and greater flexibility in the SQA qualifications structure and wider opportunities for young people to pursue formal vocational training so that Scotland can strengthen its international reputation in educational attainment; notes the particular importance of modern languages and science in modern society and the global marketplace, and believes that the Donaldson review of teacher training must ensure that teachers are equipped with the right knowledge and skills to develop these and other key subjects and meet the needs of pupils in the 21st century.

South Lanarkshire College (Aurora House)

The Deputy Presiding Officer (Alasdair Morgan): The final item of business is a members' business debate on motion S3M-5351, in the name of Linda Fabiani, on South Lanarkshire College unveils the Aurora house: a first in Scotland. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes the official opening by the Cabinet Secretary for Finance and Sustainable Growth of Scotland's first affordable, low-energy, low-carbon house at South Lanarkshire College in East Kilbride; notes that the Aurora house has an A-rated energy certificate, a heat recovery system, thermal energy pumps and the capacity to create more electricity than it uses; congratulates South Lanarkshire College, the Scottish construction company, Dawn Homes, and the other project partners for conceiving and building the Aurora; notes that the house will be used as a training facility for students and apprentices aiming to work in the construction industry, and believes that this flagship project gives Scotland the potential to become a world-leader in building a new generation of affordable low-carbon homes, helping to both combat climate change and address fuel poverty.

17:07

Linda Fabiani (Central Scotland) (SNP): I am delighted to open this debate, especially after the heated debate on education and skills that we have just had, because this debate will be consensual. The opening of the Aurora house will be welcomed by members of all parties.

Just before the Copenhagen conference on climate change, the Cabinet Secretary for Finance and Sustainable Growth came to South Lanarkshire College in East Kilbride for the second time—he had been there to cut the first turf for the great initiative that I am talking about. On that day, Mr Swinney officially opened Scotland's first affordable low-energy, low-carbon house. The Aurora house has an A-rated energy certificate, a heat recovery system, thermal energy pumps and the capacity to create more electricity than it uses. Great congratulations are due to the college and all the partners who have been involved in the fantastic initiative.

The Aurora house was a great conception, in particular when we consider that it will be used as a training facility for students and apprentices who aim to work in the construction industry. South Lanarkshire College has a good record in everything that it teaches and is involved in, particularly construction. Not long ago the college successfully hosted the skillbuild 2009 competition, in which two of its students, Douglas Robertson and Stephen Butler, won medals for carpentry and roof slating and tiling respectively.

The college deserves much praise for its achievements, particularly since it moved into its new campus in the centre of East Kilbride. I praise in particular Ian Macpherson, the chairman, who oversaw the project; Stewart McKillop, the principal; Angus Allan, the depute principal; and their team of staff. Special commendation goes to the construction skills team at the college.

I will get back to the Aurora house. It is a flagship project that gives Scotland the potential to become a world leader in building a new generation of affordable low-carbon homes, thereby helping to combat climate change and addressing fuel poverty, which is hugely important in this day and age. Scotland is leading the way not only in climate change legislation, but in methods of delivering what is in that legislation.

The Aurora house is the result of a successful and unique partnership between South Lanarkshire College, Dawn Homes—part of the Dawn Group, which is made up of Dawn Construction, Dawn Homes and Dawn Development—and more than 50 private sector partners. The design of the house is also very important because that design has not been compromised by the building's functionality, so I will mention the architects: Jewitt Arschavir and Wilkie Architects.

The house showcases low-energy technologies and high insulation levels, is capable of reducing energy use and energy bills to zero, while contributing to the challenging Government targets to reduce greenhouse gases and carbon emissions. The house exceeds the building standards requirements that it is recommended should come into force in 2013 and then in 2016-17, so it is a blueprint for eco-friendly house construction, with the added bonus of being a training facility, that is unique in the United Kingdom, for teaching students the principles behind low-energy buildings.

It is one of the few houses to be built that easily achieves an A rating, which is the highest possible energy performance rating. When we consider that most older housing achieves only a D rating, and that most new build housing achieves only a C rating, we can see that the house is very special and something to which others can aspire.

It is a great initiative. A sensible design approach was adopted in the design of the timber frame, the placement of the windows and the inclusion of the heat recovery units and rainwater harvesting system. The house has photovoltaic panels, solar hot-water panels, an air-heat recovery system, ground-source heat exchanger, and one third of the air leakage of a typical new house. There are energy-saving light tunnels on the upper floor and water-saving sinks and baths.

When it is operational, the house will be net zero carbon.

We are talking about a four-bedroom detached house, but it is fully scalable and will allow smaller and larger properties in semi-detached or terraced styles to be produced as the market demands. I have limited time to speak, but I have many fact sheets with me. It would take a whole afternoon to fully extol the benefits of the project for learning and the economy, so if anyone wants to learn more about it, I have all the information available.

I would like to mention Dawn Construction here—of course, I mean Dawn Homes, but I have always known it as Dawn Construction—which has gained a proud record over many years of housing rehabilitation and now new-build housing. The company looked at and adapted the house because it realised that future discerning home buyers will prefer energy-efficient properties to those that are less energy efficient. The Aurora project has allowed Dawn Homes and its operatives to learn the complexities of what is required in the design of such a house, so that it can make an affordable and replicable product that will exceed Government targets. Dawn Homes has had the learning experience, and its workforce is learning new and different skills, which, through South Lanarkshire College, will allow the workforce of the future to learn new skills. It also means that a company has done some very innovative thinking and has now placed itself in the right place to accelerate out of the current recession and to be successful at the other end of it. That ethos of innovation must be congratulated.

Yesterday afternoon we had a debate about community regeneration; the Aurora house is a great example of that. It involved the college and learning, skills development and employment, along with all the agencies that worked together, including South Lanarkshire Council, which helped with building regulations and so on. It involved good design, but most important for regeneration of the community, it gave pride in achievement. Everyone who was involved in the Aurora house project can be proud of their achievement. I commend them to the Parliament.

17:15

Andy Kerr (East Kilbride) (Lab): As the local constituency member, I find it a great pleasure to take part in this debate, which I congratulate Linda Fabiani on bringing to the chamber.

The Aurora house sits in a great academic campus, and it is a joy to visit the college and see the great works that are going on. The house contrasts sharply with the old building down in the village of East Kilbride where my wife went for her

secondary education some years ago—for the record, it was not that many years ago.

The Aurora house sends a strong message about the culture and values of the leadership at South Lanarkshire Council with regard to innovation in approach and the key skills that they are passing on to our young people in East Kilbride and beyond in South Lanarkshire. The project is a credit to them.

Linda Fabiani has given us all the details about the house. The key point is that we need to do things differently in the future, and the Aurora house offers us a vision of that future—which is not the far-distant future, but the immediate future.

It is great to hear that Dawn Construction—as I, like Linda Fabiani, know the company—is involved in the project, as it has been innovative for many years. The combination of the values and innovation of the academic leadership, the leadership of the team involved and the work of the students and the other partners brings us to a point at which we can showcase a style of house building for the immediate future. The project allows an evidence base to be developed around the fact that we can do things differently and better in the future.

I am much taken by the point that was made by Linda Fabiani and by all those involved that the Aurora house is a fully scalable project—the size of the building can change. That suits everyone with regard to the future of house building here, and it can and will make a considerable difference in the future.

The project is about learning and skills, and the innovation and entrepreneurial spirit that have been shown by all those involved are a great credit to the staff, students and partners.

The debate allows us in the Parliament to recognise the contribution that is made by the Aurora house, the college and its partners. The project demonstrates that if we have the vision, we can bring about real change. Linda Fabiani used the word “potential”, and we need to ensure that we turn that potential into reality.

17:17

Margaret Mitchell (Central Scotland) (Con): I congratulate Linda Fabiani on lodging the motion that we are debating this evening.

South Lanarkshire College prides itself on aiming to provide

“real people with real skills for real jobs.”

It is not surprising, therefore, that there is fierce competition for the college’s 5,500 places and for the courses, which combine high-quality teaching with an innovative, forward-looking approach to

learning. Better still, that teaching is delivered in an environment that is conducive to learning, in the shape of the college’s spectacular new campus. I had the pleasure of visiting the campus last year, during which I met the principal, Stewart McKillop, and the former chairman of the board of management, Ian Macpherson. I had a tour of the new building and heard at first hand about the ethos of the college and the courses that are on offer.

The Aurora house provides a practical example of that ethos in action. It was born out of a successful partnership between the college and private sector partners, including Dawn Homes and 50 others. Together, they have come up with Scotland’s first affordable low-energy, low-carbon house.

As the motion states, the Aurora house has “the potential to become a world-leader”,

and it is groundbreaking in terms of the production of eco-friendly, affordable homes for the mass market.

Some of the features have already been mentioned, but they are worth repeating. The Aurora house achieves the highest possible energy performance rating: it has an A rating, in comparison with the D rating that is given to older houses and the C rating that newer homes achieve. Potential savings could be as high as £1,800 per year, which makes the design ideal for the social housing market and helps to address fuel poverty.

Furthermore, as Linda Fabiani said, the fact that the four-bedroom Aurora is scalable means that it can be adapted for smaller and larger properties and for different house styles. That, coupled with its zero carbon status, which puts it far in advance of the 2013 to 2016 target under which all new houses will require to be net zero carbon, makes the Aurora highly marketable.

Students at South Lanarkshire College are being given the opportunity to learn about the innovative techniques and technologies through the medium of a unique training experience, whereby they are able to see the Aurora’s insulation materials and construction approaches, which are made visible through cutaway sections. Students will learn about other Aurora features such as energy-saving light tunnels on the upper floors; triple-glazed windows; airtight construction, which delivers less than a quarter of the air leakage of a typical new house; solar hot water panels; a rain-harvesting system; water-saving sinks and baths—the list goes on.

It is clear that, through the pioneering Aurora programme and the new technology training that it

offers to students, South Lanarkshire College is achieving its stated aim of providing

“real people with real skills for real jobs.”

The college and its partners can be justifiably proud of the futuristic, visionary Aurora, which is certainly good news for the college's students and for East Kilbride, and a credit to Scotland.

17:21

Robin Harper (Lothians) (Green): I am sure that Linda Fabiani will forgive me for speaking in the debate despite the fact that I am not a list MSP for her region. However, I am extremely interested in the issue, given my position as convener of the cross-party group on architecture and the built environment.

No building that is being constructed at the moment should be described as affordable unless it is up to the energy-efficiency standards to which the building that we are discussing has been built. A house that is cheap to buy but expensive to heat and light is not affordable. That is the bottom line. I ask the Minister for Housing and Communities to bear that in mind whenever anybody describes an affordable house, housing estate or development to him. The first question has to be whether the property is meets or goes beyond the very highest standards—not just the present standards—of energy efficiency. Houses that are being built now cannot be described as affordable unless they meet the required standards for 2012 to 2015.

I draw the minister's attention to the fact that very good work is being done not just in Lanarkshire but at Napier University—particularly at the centre for timber engineering—and at Heriot-Watt University. Professor Sandy Halliday at the University of Dundee is also doing work to promote the idea of energy-efficient houses and building.

We should consider what can be achieved, and in that regard I will talk about a school building rather than a house. I have mentioned Acharacle primary school before—I love the very name Acharacle, which is poetic and rolls off the tongue. It was designed with the staff, the children and the local community in mind, and they were involved in the design. All the materials are natural: the untreated timber, the lino, the clay plaster and the vegetable-based paints. The structure of the building is made from Brettstapel, a form of glue-free massive timber construction. Although the timber had to be imported from Austria, every tonne of carbon that was produced in importing that wood was saved, because 20 tonnes of carbon dioxide are saved in the embedded energy in the wood.

Most of the school is made from wood. Its electricity consumption is significantly reduced, through the large triple-glazed windows, optimised daylighting and the use of very energy-efficient appliances. Houses are overloaded at the moment, as too many electrical appliances come with them, and they are not AAA rated.

A landscape workshop was held with all the children so that they could come up with ideas for the design of the different gardens around the school. That is another issue with some of the big estates: we put up houses but do not do much about the surroundings.

All the classrooms have enough daylighting so that lights are generally not needed. Temperature, relative humidity, carbon dioxide and daylighting are monitored and levels are displayed in each classroom. I hope that it is possible regularly to check everywhere in the Aurora house to ensure that the temperature is at the level at which it should be kept.

I love the idea that the Aurora house is associated with South Lanarkshire College and with developing skills. It is important that we develop the skills that we need, but we also need to upskill building control in Scotland so that when new buildings are inspected as they are being built the inspectors know what to look for. I have heard of cases of buildings that have not been up to the standards that have been claimed for them in insulation in particular.

I have gone slightly over time, but I thank Linda Fabiani for bringing the subject to the Parliament for debate. It is a pity that there are not at least 10 more members present and that we do not have seven minutes each.

17:26

The Minister for Housing and Communities (Alex Neil): I start on a personal note by wishing Ian Macpherson all the best after his recent operation. I look forward to seeing him back to full fitness as soon as possible.

I also congratulate Linda Fabiani on securing the debate and agree with Robin Harper that it is a pity that more members are not present. The Aurora house is not a localised, South Lanarkshire issue; it has much wider implications, not only throughout Scotland, because the project is an exemplar of what can be done throughout Europe.

The low-carbon Scottish buildings of tomorrow must be affordable to construct, buy or rent and comfortably heat and power without forcing householders into fuel poverty. The Aurora house brings all those conditions together into one project. It offers an important insight into what is needed for us as a society to realise a low-carbon

future in respect of technical solutions and the construction skills that are needed to support them. Robin Harper's point about the construction skills that are required for the future is valid.

Scotland has the best energy standards for new buildings in the United Kingdom and will continue to keep the leading edge in that respect. Revised building regulations that are to be introduced in October this year will result in emissions of around 70 per cent less than 1990 levels for new homes. We recognise that higher energy standards will require more skilled people and we know that more trained apprentices will be necessary. Therefore, with cross-party support, we are investing £16 million to support an additional 7,800 new apprenticeships this year. Construction Skills, the sector skills council for construction, is also reviewing future training needs against the sector's shift to low-carbon requirements.

Skills are also one of the many areas that will be addressed in our energy efficiency action plan, which we will publish in late spring. That plan will set out a range of policies and programmes to reduce energy consumption across all sectors. We recognise that the energy efficiency of existing homes, as well as new build, must be improved significantly and a lot of work is under way on that. Indeed, the energy efficiency action plan consultation document that we published late last year estimated that, for the housing sector to achieve its share of the 42 per cent reduction in carbon emissions by 2020, we need to invest £16 billion in our housing stock throughout Scotland.

The action plan will also include Scotland-wide advice for householders. We have made a modest start with our £2 million interest-free loans for a range of measures and the energy efficiency design awards, which reward innovative approaches to saving energy, particularly in hard-to-treat housing.

As has been mentioned, these initiatives are important in tackling fuel poverty.

One of my first visits as Minister for Housing and Communities was to the Lochside estate in Dumfries. The first lady tenant whom I met there had just moved from a two-bedroom flat to a four-bedroom, upstairs-downstairs house and, because of the new insulation technology that Dumfries and Galloway Housing Partnership had applied, her gas bill had gone down from £40 a week for a two-bedroom flat to £36 a month for a four-bedroom house. That shows a coming together in achieving fuel poverty objectives and carbon emission reduction objectives. One of the Aurora house's great strengths is, of course, its low energy requirement, which mitigates the effect of rising energy prices and the risk of fuel poverty. We must also recognise the importance of microgeneration in meeting future challenges, as

well as the importance of new technologies, the feed-in tariff for electricity and the renewable heat incentive, which helps to encourage and facilitate the new technologies that are required.

I welcome the debate—it is a pity that it is not better attended—and the contribution of the Aurora project. I have not yet had the opportunity to visit the project, but I would welcome an invitation to do so. As the minister responsible for housing and fuel poverty, I want to see this kind of technology at first hand. However, Mr Swinney assures me that the Aurora project makes an exciting contribution to addressing the challenges of climate change, energy efficiency, the promotion of new skills for the new economy and the reduction of fuel poverty.

On a new note, Aurora is the Latin word for dawn. I commend all those involved in the ambitious project and I hope that the Aurora house signals not just a new dawn for Dawn Construction Ltd, but the dawn of a generation of affordable low-carbon and low-energy housing for Scotland. Where better to start than in Lanarkshire?

Meeting closed at 17:32.

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