



The Scottish Parliament
Pàrlamaid na h-Alba

Finance and Public Administration Committee

Sue Webber MSP
Convener
Education, Children and Young
People Committee

By email

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Dear Sue,

Scottish Languages Bill

As you are aware, the Finance and Public Administration Committee (the Committee) is responsible for scrutinising Financial Memorandums (FMs) to Bills. As such, the Committee ran a call for views on the FM for the Scottish Languages Bill between 23 January and 1 March 2024 and received 15 responses, all of which have been published on the Committee's call for views website¹.

The written submissions received raised concerns regarding the limited costs set out in the FM, as well as funding for the support of Gaelic and Scots more generally. The FM states that “the main impact of the Bill provisions is a shift in activity, a repurposing of resources in terms of effort and attention. The Scottish Government considers that provisions do not create wholly new costs or a requirement for wholly new spend.”

The evidence received by the Committee questions the Bill's ability to achieve its aims in the absence of additional funding and we highlight, in particular, comments made by the Scots Language Centre that, “enacting this bill without the funding to allow meaningful engagement from funded bodies and individuals is a significant underestimation of what is required from the bill as introduced”. Similarly, Bòrd na

¹ [Scottish Languages Bill Financial Memorandum | Scottish Parliament Website](#)

Gàidhlig questioned “whether any legislation can be achieved without new spend, particularly legislation which changes the functions of organisations [...] and places new requirements on public bodies, for example by introducing Areas of Linguistic Significance, and establishing monitoring procedures for enforcement of language standards and the proposed National Gaelic Language Strategy”.

In light of the concerns raised by stakeholders, we wrote to the Scottish Government on 13 May 2024² to highlight these issues and requested further information on

- how the Scottish Government has assessed what activities can be shifted and resources repurposed in order to determine that “the provisions do not create wholly new costs or a requirement for wholly new spend.”
- what activities the Scottish Government considers will have to be reduced or stopped in order to provide funding to achieve the policy aims of “providing further support for Scotland’s indigenous languages”, particularly in relation to the designation of areas of linguistic significance, and
- how the additional demand for the provision of advice and resources in relation to Gaelic and Scots languages can be met without increased funding to meet any additional demand.

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic responded to the Committee’s letter on 17 May³. In her letter, the Cabinet Secretary noted that “the Committee’s letter does contain a focus on the relationship between the Bill provisions and new spend” and highlighted that it was important to take account of “related and wider contextual elements.” She noted that “new spend on Scotland’s languages is currently taking place” and “is not a factor that should solely be associated with the Bill provisions”. She further stated that there is already a level of Gaelic activity taking place in local authorities, which can be shifted, with resources repurposed, therefore the Scottish Government “expect[s] the current activity associated with Gaelic language plans will be similar to the future task and that the Bill provisions, in relation to these processes, are unlikely to create wholly new costs.”

It is unclear how the Cabinet Secretary has satisfied herself that no wholly new costs are likely to be required. The FM should, under Standing Orders, clearly set out “the best estimates of the costs, savings, and changes to revenues to which the provisions of the Bill would give rise” - that is any and all costs associated with the Bill’s provisions, whether these will, in future, require to be met through new or repurposed funding.

In her letter to the Committee, the Cabinet Secretary states that the “Scottish Government might suggest that there is a more varied context which includes current statutory expectations and associated spend and growth of provision as a result of other factors unrelated to legislation.” She goes on to say that the Scottish Government has “taken a wider, dynamic approach which takes into account local

² [Letter from the Convener to the Cabinet Secretary for Education and Skills of 13 May 2024 \(parliament.scot\)](#)

³ [Deputy First Minister and Cabinet Secretary for Economy and Gaelic \(parliament.scot\)](#)

prioritisation and developing provision, current statutory expectations and resulting activity and new provision resulting from the Scottish Languages Bill”.

We consider that these statements merit further scrutiny. The Committee would in particular suggest that clarity is sought on the “more varied context” that has led to a “dynamic approach” being taken and how this has impacted on the costs presented in the Financial Memorandum. We note the Cabinet Secretary’s comments that this is not associated solely with the Bill’s provisions, and therefore transcends the limitations of the FM. However, we are concerned about the accuracy of the FM presented to the Committee, in the absence of further clarification on the practical and financial implications of such a “dynamic approach”.

We would encourage the Education, Children and Young People Committee to scrutinise these issues as part of its consideration of the Bill and to pursue this further detail from the Scottish Government on the full financial costs associated with the Bill’s provisions.

Yours sincerely

Kenneth Gibson MSP
Convener
Finance and Public Administration Committee