



OFFICIAL REPORT
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Meeting of the Parliament

Tuesday 16 May 2017

Session 5



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Scottish Parliament

Tuesday 16 May 2017

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

Time for Reflection

The Presiding Officer (Ken Macintosh): Good afternoon. The first item of business is time for reflection, for which our leader is the Rev Joan Lyon, priest at St Ninian's Scottish Episcopal Church, Aberdeen, and Episcopal chaplain to the Aberdeen hospitals.

The Rev Joan Lyon (Priest at St Ninian's Scottish Episcopal Church Aberdeen and Episcopal Chaplain to the Aberdeen Hospitals): Thank you for this opportunity to speak to you today.

One particular Easter moment stood out for me this year: the moment when a young boy of five told me earnestly that Jesus died on a hot cross bun. It is not surprising that there is a level of confusion and mystery surrounding the Easter story—that, after all, was the initial reaction of Jesus' disciples. However, there was obviously some connection in this child's mind between the cross that decorates the bun and the story that he had heard about Jesus earlier that day in the school assembly. What stayed in his mind was but a small snippet of a much wider and deeper narrative. Is that not so often the case?

In your experience as those who represent the people of this country and certainly in mine as an Episcopal priest, we hear many conversations and listen to many stories, and sometimes we have to move on too quickly to the next conversation or task. However, like the small boy and his hot cross bun, there is always more than meets the eye. There is always another side of the conversation—perhaps even many sides—that is often unheard and frequently ignored or discounted. We do not take time to hear the whole story, to ask the open question or to allow space for the person talking to actually hear their own story in a new way.

When we read the Gospels, we see Jesus listening in that positive way and taking time to engage with people so that each conversation makes a difference. The way of Jesus is a way of paying attention to people's individual stories and, at the same time, helping them to be part of the wider narrative of God—that longing for all nations to actively pursue justice, mercy and equality. Every conversation counts.

In today's time for reflection, I would like to encourage real conversations and perhaps more

than four minutes' reflection time, as, in the coming weeks, you seek to engage the nation with your story, your vision and your view of the future.

When we listen for the whole story, there is always more. There is so much more than just enjoying the taste of a good hot cross bun. The best stories, the clearest vision and the most positive view of the future arise out of good conversations and the deeper reflection that follows them.

Thank you for your attention.

Business Motion

14:04

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-05626, in the name of Joe FitzPatrick, on behalf of the Parliamentary Bureau, setting out a revised business programme for today.

Motion moved,

That the Parliament agrees to the following revision to the programme of business for Tuesday 16 May 2017—

after

followed by Parliamentary Bureau Motions

insert

followed by Ministerial Statement: The Impact on and Response by the NHS in Scotland to the Global Ransomware Incident

followed by Ministerial Statement: National Bargaining in the Further Education Sector

delete

5.00 pm Decision Time

and insert

5.30 pm Decision Time—*[Joe FitzPatrick.]*

Motion agreed to.

Global Ransomware Incident

The Presiding Officer (Ken Macintosh): The next item of business is a statement by Shona Robison on the impact on and response by the national health service in Scotland to the global ransomware incident. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:04

The Cabinet Secretary for Health and Sport (Shona Robison): Thank you, Presiding Officer, for giving me the opportunity to make a statement on the impact on and response by the national health service in Scotland to the recent global ransomware attack.

Members will have seen news reports about the global impact of Friday's attack. In the United Kingdom, the main area affected has been the NHS. Across NHS England, 47 health organisations were infected with the malware, including 27 acute trusts. In Scotland, 13 health boards have experienced some impact from the attack, although they have been less severely affected than health service bodies in England.

I wanted to come to Parliament today to update members on the current situation. Members will be aware that a UK-wide criminal investigation is under way, which is being led by the national cybersecurity centre and supported by Police Scotland. Health boards will fully support those inquiries.

Yesterday afternoon, my Cabinet colleague Michael Matheson, the Cabinet Secretary for Justice, participated in a meeting of the Cabinet Office briefing room A—COBRA—committee, which was chaired by the Home Secretary, to consider the consequences of the cyberattack. Ensuring that services recover from the cyberattack as quickly as possible has been a priority for health boards. It is clear that, since Friday, health board staff, as well as staff within general practices, have been working extremely hard to ensure that the attack's impact does not affect the quality of the care that is provided by vital NHS services. I thank them all for their efforts.

Of the 13 boards that have been affected, NHS Lanarkshire and NHS Borders have experienced the most significant impact. In response to that, contingency arrangements, including manual standby systems, were put in place—as they were in other health board areas—to ensure that appropriate patient information was still being captured and that patient services were being delivered across the NHS.

I would like to take the opportunity to reassure patients in Scotland that there have not been any reported breaches of patient data or personal details as a result of the attacks. Over the weekend, all boards have made good progress on recovery and mitigation. Most services, computer devices and systems were back on line and operational on Monday morning. Many boards' information technology staff are working on a 24-hour basis to ensure that appropriate fixes—and the guidance that was issued by the national cyber security centre—are in place so that services are available to the public as quickly as possible. However, boards will continue to work to ensure that staff report any issues, so that they can be investigated.

I have written to health boards to record my thanks to all the staff who have been involved in responding to the attacks and to thank them for the additional work that they have carried out since Friday to ensure that the impact has been managed appropriately.

Although investigations and reviews are under way, initial assessment highlighted that, across health boards, less than 1 per cent of devices—around 1,500 in total—have been affected. NHS Lanarkshire and NHS Borders have reported that they have made considerable progress in restoring systems, and that patient services continue to be provided. NHS Lanarkshire has reported that fewer than 20 patients who are waiting for routine appointments have had to be rescheduled.

Although the response from health boards and their staff is to be commended, I am sure that, as I do, many members will want to understand why the cyberattack has affected the NHS. My officials are working closely with health boards to gain an understanding of why the situation arose in the first place. As part of that work, we will seek to understand whether health boards had appropriate patching regimes in place. Patching is the process of applying fixes from software and hardware suppliers on to IT systems to improve security. We can draw some comfort from the fact that less than 1 per cent of devices have been infected, but we must not be complacent. I should also make it clear that the adoption of any patch from a supplier requires a technical assessment to ensure that there are no unintended consequences on NHS systems.

My Cabinet colleagues are seeking assurances across the wider public, private and voluntary sectors in relation to cyberpreparedness, and the Scottish Government has contacted more than 120 public bodies to seek assurance that they have appropriate resilience in place. The Cabinet Secretary for Justice will today chair a meeting of the national cyberresilience leaders board, which

draws together a range of partners, including partners from industry.

The board will consider the circumstances that led to the attack, the multi-agency response and the steps that can be taken to enhance future resilience across sectors. It is not a threat that Government can combat alone; it is about all of us across all sectors working, sharing and learning together to reduce the impacts that such criminal attacks have on our organisations and the public. There continues to be substantial investment in IT across NHS Scotland. The Scottish Government provides funding of around £100 million per annum to health boards for IT investment and for maintaining cybersecurity resilience, and health boards spend at least the same amount per annum. We know that the total spend in 2016-17 was around £257 million.

Although the attack was unprecedented in its scope, with hundreds of organisations affected across the globe, it was not an isolated incident. In fact, NHS Scotland, along with other organisations, faces similar attacks every day, most of which are thwarted by the controls and protections that are in place. All health boards have IT security frameworks and policies in place, but the IT environment across health boards is complex, with a mixture of legacy and new systems and technology. There is a continuing work programme in place to ensure that all systems are updated as soon as possible as developments in technology move on. I can assure Parliament that the NHS in Scotland remains at the forefront of using digital technology to support the quality of the patient services that we provide.

There will be a number of lessons arising from the ransomware attacks that we must learn from. Reviews are already under way to capture what can be improved, to ensure that we reduce the chances of a similar attack happening in the future. The Scottish Government will also be arranging a lessons-learned exercise to help health boards and other agencies to mitigate the risks from further ransomware and other cyberattacks. However, due to those criminal activities, the NHS and all other parts of the public sector need to be vigilant and keep their systems up to date and fully protected at all times, which is a lesson that all parts of society can learn from.

I reiterate that, although the impact of the attacks has affected NHS boards, there have been no reported breaches of patient data or loss of personal details, or any reported impact on patient safety. In addition, I commend the response of health board staff, who have worked tirelessly to ensure that the impact has been kept to a minimum. However, we cannot be complacent. We must ensure that the lessons identified are

adopted by all health boards so that we can minimise as far as we can the impact that such attacks have on the systems that we use to deliver not just health but our public services in Scotland.

The Presiding Officer: The cabinet secretary will now take questions on the contents of her statement. We have about 20 minutes. I call Donald Cameron.

Donald Cameron (Highlands and Islands) (Con): I refer members to my register of interests and to the fact that I am on the board of two companies that invest in health technology.

I thank the cabinet secretary for the advance view of her statement on an incident that is unjustifiable and indiscriminate. I, too, thank the IT staff across Scotland who have worked tirelessly to get the NHS back online and the medical staff who have continued to provide care in the face of adversity. I welcome the fact that no breach of patient data has been reported, but we must bear in mind the fact that it was not only infrastructure that was affected; patients in our hospitals and health centres were affected as well, with operations cancelled and people unable to get to their scheduled appointments.

One of the reasons why IT systems have failed might be that, across the NHS, out-of-date software is still being used. How will the continuing work programme that the cabinet secretary referred to in her statement ensure that systems not only are upgraded now but continue to be kept up to date in the future?

Shona Robison: I thank Donald Cameron for his questions and his comments about the efforts of staff.

IT systems across the NHS are complex and are different because they serve different purposes. The NHS systems that will be used in an acute hospital will be different from those used by special boards, for example. Having the same system in all our NHS boards, therefore, is not the issue; the systems will be different because they serve different purposes.

At the moment, we understand that it was mainly Windows 2007 and Windows 2003 devices that were affected and that only a small number of Windows XP devices were affected. I know that Windows XP has been raised as an issue in the media. There are approximately 6,500 XP devices out of a total of about 150,000 devices, which is less than 5 per cent.

What I am saying is that it is not as straightforward as being about one piece of software compared with another. What we need to understand is why some pieces of software were affected and others were not, and that piece of work will now be undertaken.

I am sure that Donald Cameron will appreciate that all the efforts have been about getting the systems back up and running and sorting out problems, so that the patient impact can be minimised. The next phase is to understand more about what went wrong in those areas where things went wrong and, more important, about what we can do to make sure that we improve the resilience of those systems.

I reiterate that less than 1 per cent of devices were affected, which means that over 99 per cent were not affected by the malware. That provides some context, but Donald Cameron can be assured that I am in no way complacent about that.

Anas Sarwar (Glasgow) (Lab): I thank the cabinet secretary for prior sight of the statement and I join her in thanking all those IT and NHS staff who worked round the clock to get the situation under control.

In December, following freedom of information requests that showed that almost every health board in Scotland had been targeted by a ransomware attack, Scottish Labour called for a review of cybersecurity. In February, we exposed a security breach that involved NHS staff details being leaked, and we repeated our call for a review. That follows seven years of questions from my colleague Richard Simpson, who is no longer in this Parliament.

Will we now have a review of cybersecurity right across the NHS? Secondly, given that we have a history of ransomware attacks, can the cabinet secretary confirm whether we have ever had to pay out any ransoms? Thirdly, can she give an indication of the pressures on NHS boards from savings that they have to make and confirm that they will not impact on their budgets for cybersecurity?

I am sure that all members in the chamber want our NHS staff to be focused on patient care rather than having to worry about the hacking scandal, which I am sure we all find unjustifiable and abhorrent.

Shona Robison: I thank Anas Sarwar for his questions. Back in February, the chief operating officer of the NHS wrote to boards reminding them of the need to make sure that they had the best resilience in place and were following the best advice to ensure that their systems were as good as they could be. I reiterate what I said to Donald Cameron: there are regular attacks on our NHS systems and the fact that, until the situation on Friday, their impact has been very limited says something about the strength of that resilience. Indeed, even though there has been an impact from the attack on Friday, it was on less than 1 per cent of devices. We have over 150,000 devices

across the NHS and the attack affected fewer than 1,500 of them.

However, Anas Sarwar is quite right to talk about lessons being learned. Any recommendations that flow from the review of what has happened and what needs to happen in the light of the attack will, of course, be taken forward.

There have been no pay-outs. It is not the policy of the NHS to pay out against such attacks. That would send out completely the wrong message.

Finally, on budgets, as I said in my statement, the NHS puts a lot of resources into IT, of which cybersecurity is a key element. The Scottish Government invests around £100 million each year and that is matched by health board funding. As I said, in 2016-17, the total was over £250 million, and this year it is set to be at least £200 million. In fact, over the past two years, investment in IT has gone up.

I hope that that provides some reassurance to Anas Sarwar on the issues that he raised.

Stewart Stevenson (Banffshire and Buchan Coast) (SNP): Given that the opportunity for the cyberattack lay in a vulnerability in obsolete software and, critically, the publicising of that vulnerability, will the cabinet secretary consider whether it would be appropriate to have a database that gives us knowledge of the use of obsolete software in public services and, therefore, enables us to target news of potential vulnerabilities of which we become aware at the appropriate people before potential attacks?

Shona Robison: Stewart Stevenson makes an important point. In response to Donald Cameron, I made the point that this is not about one type of software. The ransomware appears to have affected a number of different software and has particularly impacted on GP practices, rather than on acute hospitals, with NHS Lanarkshire being the exception.

We need to understand a bit more about what lies underneath the more vulnerable areas, because there appears to be a different pattern in different places—we need to understand all that more readily before we decide what action to take. The national cyberresilience leaders board, which is meeting today, chaired by my colleague, Michael Matheson, has the requisite experts and we will draw on further experts, so I can assure Stewart Stevenson that the recommendations that we take forward on how we make our systems more resilient will be based on the best available advice that we can find.

Miles Briggs (Lothian) (Con): I echo my colleagues' thanks to all IT and NHS staff who have worked so hard over the weekend to restore

key IT systems and deliver care to patients. Is the cabinet secretary confident that sufficient resilience planning is in place to cope with larger-scale incidents, should they occur? When did the Scottish Government last undertake an audit of those IT systems?

Shona Robison: We have confidence in the systems that we have in place, given that, as I have said, fewer than 1 per cent of devices were affected, but we are in no way complacent. The attack is a wake-up call for not only the NHS but the whole of the public sector and industry. Globally, a wide range of organisations were impacted.

We need to look at what more we can do on resilience planning. As I said, back in February, we wrote to all boards, reminding them of the need to implement best practice and getting their assurances that they were doing so.

Today, with the extraordinary meeting of the leaders' board, we are bringing together experts from across not just the public sector but industry to look at whether we can do more in response to the attack and to build on-going resilience. I am happy to keep Parliament updated as that work progresses.

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): In light of the continuing threat, will the cabinet secretary provide detail on what measures are in place to monitor the safety of patient data?

Shona Robison: I reiterate the important point that no patient data has been compromised. Data security is an incredibly important issue for patients. I know that, on Friday, as the news was breaking, patients were concerned that their personal data might have been compromised. It was incredibly important that we checked out the situation as quickly as we could so that we could give that public reassurance. We were able to do so. I reiterate that point today.

It is important that our systems are resilient and that they provide security for patient data. I very much understand the sensitivity and the personal nature of the patient data that is held in NHS systems. It is important that we reassure patients about the security of their data. That security will be a key priority.

Monica Lennon (Central Scotland) (Lab): I, too, thank the NHS staff who have worked extremely hard around the clock in response to the cyberattack. As has been mentioned, NHS Lanarkshire—in Central Scotland, which I represent—was one of the most significantly impacted health boards in Scotland, but the e-health department worked tirelessly over the weekend to restore critical systems, and NHS Lanarkshire staff have continued to provide care of the highest quality.

However, concerns have been raised with me about the impact of cancelled operations and appointments at Hairmyres hospital in East Kilbride. What assurances can the cabinet secretary give to my constituents about the timescale in which they can expect performance in Lanarkshire to recover fully, and can she provide further details on what action is being taken, in partnership with NHS Lanarkshire, to upgrade and develop IT systems so that patients can have confidence that all possible actions are being taken to prevent similar attacks in the future?

Shona Robison: I thank Monica Lennon for her comments. I agree that staff in NHS Lanarkshire—one of the worst-affected boards—pulled out all the stops to prevent the attack from impacting on patients. Their communication was also good, as they tried to get across to patients the message that they should avoid coming to accident and emergency unless it was absolutely necessary, and to bring medication information with them, because manual systems were being used. I should say that the manual systems that kicked in are there ready to use should an IT system fail. They were put in place very quickly indeed, and were successful in ensuring continuity of care over Friday night and into the weekend. I wanted to put that on the record.

NHS Lanarkshire experienced a widespread attack on its personal computer environment, with around 1,100 devices being affected. It happened during a programme of PC replacement, so we need to understand whether that was part of the issue. We are still working on information about that. More than 200 infected devices have been replaced through targeted prioritisation that has focused on keeping key clinical services running because it was important to ensure that we got those key clinical services back up and running as quickly as possible. As I said in my statement, it is reported that fewer than 20 patients who were waiting for routine appointments have had to have those appointments rescheduled. I understand that they are being rescheduled as quickly as possible; I will certainly ensure that there is communication with those patients.

What has happened in NHS Lanarkshire will be a key part of our learning. We were fortunate that NHS Lanarkshire hospitals were the only acute hospitals that were impacted on: I know that the impact on acute hospitals in England was very challenging. Most of the impact in Scotland was on general practice surgeries, apart from in NHS Lanarkshire. Monica Lennon was quite right to pay tribute to the hard work and efforts of staff there to minimise the impact on patients.

Ivan McKee (Glasgow Provan) (SNP): I thank the cabinet secretary for her statement. What steps is NHS Scotland taking to learn lessons from

the attack and to minimise the impact of disruption from potential future attacks?

Shona Robison: Ivan McKee will appreciate that health boards have been focused on recovering their systems and computers. The next phase is about the reviews to ensure that we learn all the lessons from the attack, and that we make the necessary improvements that are identified. Health boards are working to implement patches and to ensure that system security arrangements are updated. The lessons-learned review with health boards will be getting under way. We already have a lot of information, but we need to ensure that we have full investigation of all the details.

As I said in my opening remarks, my work with the national cybersecurity centre will be important, because the centre has a lot of the expertise that will be called for. We will work with it to take matters forward.

Finally, the national cyberresilience leaders board—which, as I mentioned, the Cabinet Secretary for Justice is chairing—is drawing together a range of partners from across the public and private sectors and will consider how we can enhance future resilience across all sectors, and not just the NHS. Again, I am happy to keep Parliament informed of that work.

Alison Johnstone (Lothian) (Green): Clinicians and healthcare providers often have limited time to work with patients, and protocols that make patient data more secure should not impact on front-line staff, who need to be able to do their jobs without recalling and updating strings of long passwords. Can the cabinet secretary give us assurances that improvements that will be made to the security of NHS IT systems will not have a negative impact on the workloads of healthcare professionals?

What further engagement will there be with patient groups and organisations that have concerns about the safety and privacy of patient data?

Shona Robison: I reiterate that there was no breach of patient data security in the attack. It is important that patients and the public are reassured about that.

There should be engagement with patient groups and the public around everybody's involvement in making sure that IT security is maintained at the highest level and in deciding what improvements we need.

I accept Alison Johnstone's point about not adding to staff workload, but IT security is everybody's responsibility. We do not want it to be onerous, but there is good practice—from individuals backing up and changing passwords,

to collective responsibility for IT security systems and the patching that organisations should have in place. Security is everybody's responsibility, although I take the point that that should not be onerous.

Alex Cole-Hamilton (Edinburgh Western) (LD): I thank the cabinet secretary for advance sight of her statement, and echo other members in praising NHS staff, many of whom are working on their days off to make good, following the audacious and cowardly attack.

The cabinet secretary mentioned that NHS Scotland faces similar attacks almost daily and explored some of that in her reply to Anas Sarwar. Can she give Parliament details of how many such attacks have taken place and whether each or any is the subject of criminal investigation? How successful have criminal investigations proved to be in bringing the perpetrators to justice?

Shona Robison: There are regular attacks on the NHS and on other public services and organisations. Some are more serious than others: what we saw on Friday was a very serious global attack across many different countries and organisations.

Some attacks have led to the involvement of the criminal investigation agencies, and the cyberexperts in Police Scotland have bolstered their resources. Given the changing nature of cyberattacks, it is important that Police Scotland has the expertise to deal with them, so it has a number of cybersecurity experts who investigate crimes of that nature.

I will write to Alex Cole-Hamilton, following the statement and questions, on whether there are any current criminal investigations. I assure him that, in this instance, Police Scotland is working with the National Crime Agency and is treating the attack as serious. They will give their full attention to the attack in trying to bring the perpetrators to justice.

Clare Haughey (Rutherglen) (SNP): Does the cabinet secretary agree that, given the international scale of the attack, it is vital—now more than ever—that Scotland is represented at international discussions about security and international threats?

Shona Robison: Yes. The attacks were global, so Scotland must be involved in any discussions about our international or national response to them. That is why Michael Matheson took part in the COBRA meeting that was chaired by the Home Secretary. It is important that we understand the threat collectively and that, whether in the criminal investigation, in the lessons learned or in ensuring resilience in our systems, we draw on the available expertise. That

is why Michael Matheson has taken part in the COBRA discussions.

On international work that is being done, we want to make sure that the information from and impact on Scotland are recognised on the global stage, and that we can recognise and apply here relevant lessons from elsewhere on how the issue has been addressed by other countries and organisations.

Brian Whittle (South Scotland) (Con): Will the cabinet secretary tell Parliament how the backlog following the cyberattack will be managed?

Shona Robison: It was important yesterday morning first to get organisations up and running again, as much as we could. In the case of general practices, I am pleased to say that none was closed—they were all open, although work needed to be done to retrieve data from back-up systems. That process is well under way. The situation is more complex in NHS Lanarkshire, where it has taken a little longer to get systems up and running again. The process has to be done in a safe way and the systems have to be tested.

However, we are now very much in the recovery stage, which is why we have, by and large, been able to get systems working normally. We can now turn our attention to the lessons-learned phase and what more we need to do to build resilience and to learn lessons for the future. We are making sure that the impact on patients is kept to a minimum. We need to make sure that the 20 NHS Lanarkshire patients' appointments that have had to be rescheduled are rescheduled as quickly as possible. Every effort has been made to minimise the impact on patients.

Further Education (National Bargaining)

The Presiding Officer (Ken Macintosh): The next item of business is a statement by John Swinney on national bargaining in the further education sector. The cabinet secretary will take questions at the end of the statement, so there should be no interventions or interruptions during it.

14:37

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Over the past 10 years, the Scottish Government has been implementing an ambitious programme to reform post-16 education. Our purpose has been clear and consistent over that time: to create a national college sector that is more efficient and effective and that is able to meet stretching measures and outcomes. We remain committed to creating a sector that is better suited to our national priorities, including the delivery of skills and opportunities, particularly for our young people, to meet their needs and those of our economy. I am increasingly confident that our colleges have a clear, focused role in delivering a skilled workforce for their regions and have developed new and enhanced relationships with employers around curriculum planning, work experience and employability skills. Delivering the right curriculum in the right place has been critical to that development, alongside significantly improved partnership arrangements with local authorities, universities, schools and community planning partnerships.

The focus is now very much on full-time learning opportunities that lead to recognised qualifications and employment, particularly for young people, and the evidence increasingly demonstrates that that approach is working. The number of full-time funded students aged 16 to 24 has increased by more than 11 per cent since 2006-07. Our youth unemployment rate is at its lowest level since the series began in 1992 and is the third lowest in the European Union. In 2015-16, almost 12,000 more students successfully completed full-time courses in further and higher education that led to recognised qualifications than did so in 2008-09.

Colleges are not just delivering for young people. Under this Government, the number of full-time students aged 25 and over has increased by more than 33 per cent since 2006-07. The sector is also delivering for women, with the number on full-time courses up by more than 12 per cent over the same period.

Our colleges play a key role in our success in higher education. More than 41 per cent of all full-

time college activity in 2015-16 was in higher education, which is the highest proportion ever.

Colleges are also playing a crucial role in widening access. Many students from the most challenging backgrounds begin their post-16 education journeys in college. More than 16 per cent of college provision was delivered to students from the 10 per cent most deprived areas in 2014-15, and more than 29 per cent of all students came from the 20 per cent most deprived communities.

Those are real achievements, of which our colleges can be proud. Lecturing and support staff, and the students themselves, have all helped to make that happen.

I am in no doubt that our college sector is now better placed than ever to enable students to flourish and succeed, and to build the workforce that Scotland's employers need—now and in future. Our colleges must continue to develop and innovate to deliver the type of learning that society, the economy and individuals need for the future.

All college staff and leaders are committed to our ambitious programme of change and improvement. Over the past few years, there has been significant restructuring of the sector to create a more sustainable and viable platform for delivering high-quality further and higher education. College staff have played a full part in securing those necessary and beneficial changes, and I commend them for their commitment. Nevertheless, there is more still to be done to secure our vision of a world-class college sector.

From the outset, we agreed with college employers and staff that a harmonised approach to pay, terms and conditions for lecturers and support staff was integral to creating a modern, flexible sector. We agreed that that would best be delivered by a system of national bargaining that rightly places responsibility for reaching agreement with representatives of employers and staff, through their national joint negotiating committee. The present dispute has its roots in the agreement reached last March by that committee, and a disagreement between the Colleges Scotland employers association and the Educational Institute of Scotland on the relationship between pay and terms and conditions.

On pay, while the precise levels of increase will vary depending on personal circumstances, the agreement that has already been reached will see all unpromoted lecturing staff receive an average pay rise of 9 per cent over a three-year period. That means that, at the top of their salary scale, unpromoted staff will now earn up to £40,026 a year. While some details remain to be resolved,

that part of the agreement has been in place for some time.

What has not been agreed are the terms and conditions. While both parties agree in principle to harmonisation in order to create the right platform for a further education workforce for the future, the nature of that harmonisation is disputed. The employers are clear that a national pay award should be linked to agreement on harmonised terms and conditions, while the EIS maintains that they should be separate. Although both sides agree that matters such as staff teaching hours and annual leave should be the same across the country instead of varying from college to college as they do now, they disagree on what the harmonised terms and conditions should be.

There are two key issues: the number of core teaching hours; and the number of annual leave days. The employers have proposed that the majority of lecturers should have up to 24 hours a week of core teaching time; the EIS has proposed that it should be up to 22. The employers believe that they are asking for no more than the sector norm on hours; the union does not accept that.

On annual leave, the employers' offer is for existing staff to retain their current entitlement without change, while new staff would have 56 days a year. The EIS has proposed 64 days a year for all lecturers, with no detriment for existing staff.

This dispute, then, is not simply about pay. The issues of core teaching hours and annual leave are among the most difficult to resolve.

Talks have been under way for some time. The Minister for Further Education, Higher Education and Science has met each side on several occasions in the past six months to encourage and facilitate a resolution. In the past few weeks, the sides have made some welcome progress, but a settlement has not yet been reached. We remain in the middle of a period of strike action that is having an impact on students. Four days have already been lost to strikes since the end of last month, and a further two days are planned for this week. The EIS plans to escalate the action to three strike days a week until the beginning of next month. As a result of that escalation, the impact on students will deepen and harden; in this crucial, end-of-year period, some will be at real risk of not being able to progress to future years' study or indeed to qualify. That is not acceptable.

I have therefore decided, alongside the Minister for Further Education, Higher Education and Science, to formally intervene. We met both sides separately on Sunday evening to that effect. Through that intervention, we actively sought a way forward that allows both sides to work constructively for a solution, so that the sector can

focus on delivering the high-quality education that its students have a right to expect.

There are five key elements to that intervention. First, I emphasised in both meetings my serious concerns about the detrimental and disruptive impact of the current dispute on students and said that that should be to the fore of all our thinking.

Secondly, I insisted that a robust evidence base was needed to establish baselines on the issues of key importance—the sector norms for class contact time and annual leave—so that competing bids could be fairly assessed. Without agreed baseline data and an undisputed understanding of the current terms and conditions of lecturers, there is no prospect of agreement.

Thirdly, in both meetings I reaffirmed the Government's absolute commitment to securing national bargaining. I know that the unions are concerned that the employers are not committed to national bargaining, so I made crystal clear to the employers association my firm expectation that employers would act collectively to deliver national bargaining.

Fourthly—and most significant—I informed both the union and the employers that I was making a significant change to the way in which the talks will be conducted from now on. We are placing in the talks a Scottish Government-appointed mediator, who is charged with seeking to help the parties to break the deadlock. John Sturrock is a highly respected Queen's counsel and is widely recognised as a leading mediator and facilitator. As an independent guide to the process, he will now facilitate the talks, in an effort to bring about improved relations between the parties, encourage effective communication and respectful dialogue, help to identify options for progress, and work with the parties to try to break the logjam.

Finally, to assist that process, I asked the EIS to suspend the planned strikes that were due to take place this week and going forward while the process of active dispute resolution is in progress. I asked that the union give that careful consideration following our meeting, and I reiterate that request today.

I want the dispute to end, and I want agreement to be reached on harmonising pay and terms and conditions for college staff through national bargaining. If the Scottish Government directly intervened and forced a resolution, that would mean the end of national bargaining, and I am not prepared to consider that outcome. I therefore urge both parties to work constructively with our independent facilitator to find common ground and achieve an agreement. That will enable all to move forward together, to the benefit of the sector and its students. The students in our colleges deserve nothing less.

The Presiding Officer: There will now be about 20 minutes for questions.

Liz Smith (Mid Scotland and Fife) (Con): I thank the cabinet secretary for early sight of the statement. I restate the Scottish Conservatives' strong condemnation of the strike action that is taking place. I am sure that I am not the only member who has received letters and emails from constituents who are—rightly—angry about the detrimental effect that the action is having on their studies, for exactly the reasons that the cabinet secretary set out, especially at this crucial time of exams.

My first question to the cabinet secretary reflects those constituents' concerns. What discussions is he having with the colleges to ensure that, in the marking of those students' exams, consideration is given to the industrial action?

Secondly, on page 8 of his statement, the cabinet secretary demands "robust evidence" for the baselines to support the key bargaining demands on terms and conditions. Given the nature of the long-running dispute and the commitments that the Scottish Government originally made, why has it taken more than a year for the cabinet secretary to make a call for evidence that is clearly crucial to resolving the dispute?

Finally, what timescale has been put in place for the baseline evidence to be submitted by both sides, so that mediation can be effective?

John Swinney: I know that Liz Smith has to say certain things from her perspective as the Conservative education spokesman, but my perspective is that I want to resolve the dispute because of the effect that it is having on students' wellbeing and prospects. That is driving the actions that I am taking, and that is why I want to secure an agreement between both parties to resolve the issues.

On marking examinations and other materials, I know that college staff, despite being out on strike, are in many ways working beyond their normal arrangements to put in place support and assistance to minimise the effect of the industrial action on students. The best way to minimise the effect on students is for the strike to end so that the education process can return to normal.

I have in front of me baseline evidence that has been provided to me. It indicates, for example, that if core class contact time was set at 24 hours, the number of hours that are taught would increase at five colleges. If contact time was set at 22 hours, the number of hours that are taught would reduce at 18 colleges. I have that information in front of me, but it is disputed by the trade union that is involved in the industrial action. It became clear to me in my discussions at the weekend that, unless

there is an evidence baseline that brings all the material together and unless that is accepted across the board—it cannot be the source of dispute—there is no prospect of us reaching an agreement.

Liz Smith asked why the process has taken so long. That is not the Government's responsibility. There is a national bargaining process between two sides—the employers and the trade union—and I would have expected such work to have been undertaken and agreed to facilitate the process. It is a regret that I have had to make that happen.

In relation to the deadline, John Sturrock commenced his work, at my request, at short notice yesterday. Work is going on today to assemble the baseline evidence, to enable swift progress to be made as soon as possible. I assure Liz Smith that all urgency will be applied to the process.

However, I reiterate my point. The Government has made an unwavering commitment to national bargaining, so there can be no doubt that national bargaining is here to stay. We have put in place a system that is designed to break the impasse, and there is therefore every justification for suspending the industrial action to enable the talks to take their course.

Iain Gray (East Lothian) (Lab): I thank the cabinet secretary for early sight of his statement. This is the 10th anniversary of the Scottish National Party Government, and—my goodness—those who work in colleges have suffered, even more than most, at its hands. They have seen their colleges forced to merge, their workplaces displaced across cities or regions and budgets slashed, and thousands of their colleagues and 150,000 of their students have disappeared from the sector altogether.

The only positive thing that SNP ministers promised FE staff concerned national pay and conditions: equal pay and terms for doing the same job, wherever they work. That is pretty basic fairness. However, as of today, those staff are still waiting. It is a disgrace that they have had no option but to strike, with all the impact that that has had on students, to get ministers' attention.

For months, we have called on ministers to intervene, keep their promise and honour the deal. Will the cabinet secretary apologise to college lecturers and their students for taking so long to intervene, and will he apologise to Parliament for bringing us a process instead of a resolution to the dispute?

John Swinney: Iain Gray obviously paid no attention whatsoever to the points that I made in my statement about the further education sector's achievements. The number of full-time students

has increased by more than 33 per cent; the sector is running more full-time courses for women; we have secured the third-lowest youth unemployment rate in the European Union; and young people are going through their courses.

What Iain Gray says is just part of the on-going relentless narrative that he wants to peddle, in which he can see nothing positive that exists in Scotland—[*Interruption.*] Mr Gray can say all that he wants, but that detail stands.

I counter Mr Gray's question and point about strike action being required to get ministers' attention. Ministers have been involved for some time in discussions with both sides. The Minister for Further Education, Higher Education and Science has undertaken that work to encourage national bargaining, which is a process of dialogue between the employers and the trade unions. That is exactly what we have done, and we encourage the parties to resolve the dispute.

I would have thought that if Mr Gray was remotely interested in the education of students in our country—he never demonstrates any interest whatsoever—he would have welcomed the fact that the Government is intervening to bring the matter to a head in the fashion that we are doing. I simply say that perhaps he should focus on the outcomes that can be achieved in our colleges and not come here with a diatribe of complaints that help nobody.

The Presiding Officer: We need to make progress through the rest of the questions.

Bob Doris (Glasgow Maryhill and Springburn) (SNP): My immediate concern sits with students and families, not employers or unions. Many students from Glasgow Kelvin College in my constituency have contacted me, as have several others, as they are distressed and anxious about their educational progress. How will the colleges mitigate that detrimental impact? What support can be given to student constituents of mine whose pathways into employment or university are being jeopardised?

John Swinney: I encourage the colleges to take every step to ensure that there is no disruption to students' education. As I indicated in my statement and in my answer to Liz Smith, measures are being taken to support young people and to ensure that they can secure the necessary support.

On specific examinations, 1,541 students sat the higher English exam in colleges last Thursday. The affected colleges made sure that those exams happened as planned. They continue to ensure that students who are taking Scottish Qualifications Authority qualifications at this time will be provided for and that no student's exam

diet will be disrupted. The measures include reallocation of work to support students.

In addition, the Universities and Colleges Employers Association has issued comprehensive guidance on the practical steps that colleges should take to mitigate any effect. That is available to all colleges.

Adam Tomkins (Glasgow) (Con): Teaching at any level—in school, college or university—is a great privilege. Does the Deputy First Minister agree that the overriding professional duty on all teachers is to act at all times in their students' best interests? Given that the industrial action is manifestly contrary to those interests, does he agree that the union should call it off immediately and apologise for the harm that its action has caused to Scotland's college students?

John Swinney: Adam Tomkins has said what he has to say on such matters, slightly more bluntly than Liz Smith did. I take the view that the best thing that Parliament can do is encourage both sides to seek a resolution. The minister and I have put in place a process for resolving the dispute on the basis of evidence and dialogue, to ensure that young people's education is not interrupted in any way.

The proposals that I put on the table at the weekend are designed to provide a means of taking a course that would see the industrial action suspended to enable discussions to take place in an environment in which they can succeed, so that young people can secure the education that they deserve. That is the approach that the Government will take in advancing the issue.

Clare Haughey (Rutherglen) (SNP): I welcome the Deputy First Minister's statement. What progress is being made in harmonising the terms and conditions of support staff in colleges? I refer members to my entry in the register of members' interests.

John Swinney: As Clare Haughey correctly says, there is an on-going process to ensure that the support staff unions are part of the process to secure the necessary harmonisation. At a meeting that is scheduled to take place this coming Thursday, issues around job evaluation, a workforce for the future, 2017-18 pay claims and the NJNC work plan will be looked at. The minister recently met support staff unions as part of her engagement in the process.

I put on record my thanks to Unison and to support staff for their patience and willingness to engage in the national bargaining process. We will continue our dialogue to ensure that they participate fully in the process.

Monica Lennon (Central Scotland) (Lab): Given that the cabinet secretary has asked the

EIS to call off the planned strike action, can he tell me why he has not directly asked employers to implement the first part of the pay deal—it was agreed that it would be paid on 1 April 2017—as an act of good faith, so that the strike action can be suspended? [*Applause.*]

The Presiding Officer: I remind people in the public gallery that all members of the public are welcome to join parliamentary proceedings but they must not applaud or intervene in any way.

John Swinney: The issue that Monica Lennon raises goes to the heart of the March 2016 agreement, clause 5 of which says that both parties agree

“To jointly develop a roadmap towards a harmonised workforce for the future”,

with subsequent references not only to salary but to terms and conditions. The obligation is on both parties to agree on all of it. That is the process that both parties must take part in and must resolve if national bargaining is to prevail. That has been the Government’s position throughout the process. If we require individual parties in the dispute to agree to certain terms and conditions, we break national bargaining. That would be an undesirable move and would set back the national bargaining process, which is an important reform that the Government has been determined to put in place.

Ross Greer (West Scotland) (Green): I declare that I have a family member on strike today due to the dispute.

I am sure that a number of students have got in touch with every member. Every single one of the emails that I have received was from a student requesting that their lecturers get the fair pay that they deserve; none of them undermined lecturers in the dispute.

As Monica Lennon said, a fair pay deal was agreed last year. The Deputy First Minister has outlined the importance of the strike action ending. The EIS has offered three times to suspend strike action if the pay deal is delivered. If the Government’s priority is ending disruption to students, surely it should recommend that Colleges Scotland accept that agreement and then continue to negotiate on terms and conditions.

John Swinney: I refer Ross Greer to what I said to Monica Lennon. There is an obligation in the March 2016 agreement

“To jointly develop a roadmap towards a harmonised workforce for the future”,

which includes issues around pay and terms and conditions. Making advances on and resolving all those questions will allow people to get their pay increases and get back to work. However, all the issues have to be resolved. I appeal to both parties to ensure that they secure the necessary

agreement to enable the pay increases to be delivered, the terms and conditions to be applied and, most important of all, the students in our colleges to access their education resources.

Tavish Scott (Shetland Islands) (LD): I thank the Deputy First Minister for advance sight of the statement.

Mr Swinney has to accept that there is nothing positive about a strike that affects students and lecturers across Scotland. That is happening on his watch, after 10 years of his Government. He said that he had no responsibility for the baseline data. Why is that his position, given that the situation started, as he said in his statement, in March last year, which was 14 months ago? Why was there no intervention earlier?

John Swinney: It was for the very simple reason that we have been encouraging the process of national bargaining between both parties. National bargaining is about the employers and the trade unions working together collaboratively to resolve the issues by putting in place the necessary information that enables that to happen.

We have regularly encouraged progress on national bargaining and the resolution of the issues but, fundamentally, national bargaining ceases to exist the minute the Government starts specifying the terms of agreements that are to be reached. We are facilitating the process of an agreement. That is the approach that I set out in my statement and am encouraging both parties to follow.

Stuart McMillan (Greenock and Inverclyde) (SNP): The Deputy First Minister indicated that agreement on pay was reached last year, with an average 9 per cent increase in pay. Can he provide further detail on what the agreement means for lecturing staff?

John Swinney: As I indicated in my statement, under the pay agreement, all unpromoted lecturing staff at the top of their salary scale will earn up to £40,026 per year. It is useful to note that the 9 per cent increase in pay is the average. No lecturing staff member will lose pay as a result of harmonisation. Admittedly, some will stay the same and will have no increase but, for many, the increase in pay will be substantially more than 9 per cent. Obviously, that will be applied to individual circumstances as part of the process.

Jeremy Balfour (Lothian) (Con): The students who have contacted me, unlike those who have contacted Mr Greer, are deeply concerned about what is going to happen to their futures. I welcome the cabinet secretary’s remarks about intervening in the process. The students who have contacted me are particularly concerned about assessments that should have taken place but which have not

because of previous strike action. What assurances can he give my constituents and people across Scotland that, where an assessment has not taken place, that will not mean a lower final grade?

John Swinney: Obviously, discussions will be had in colleges and, with notification in certain circumstances, the Scottish Qualifications Authority about those matters to ensure that, where there has been industrial action, that is not detrimental to the educational opportunities and possibilities of young people in our colleges.

The Presiding Officer: I have three more members who want to ask questions. If they are concise, and if the cabinet secretary is also concise, I will squeeze them all in.

Gordon MacDonald (Edinburgh Pentlands) (SNP): It is my understanding that a harmonisation process through national bargaining needs to involve both sides willingly moving towards each other's position and that, by its very nature, harmonisation involves compromise by both sides. Will the Deputy First Minister provide more detail of how the respective positions have shifted during the negotiations in order to help reach a compromise?

John Swinney: I indicated in my statement that there has been movement and compromise by both sides and that some progress has been made. However, that has not allowed us to get to a resolution, which is why I have taken the action that I have taken to try to close the remaining gaps and resolve the dispute. I agree in principle with Mr MacDonald that there is an important emphasis on dialogue and compromise to ensure that the process of national bargaining is successful.

Daniel Johnson (Edinburgh Southern) (Lab): What will John Sturrock be able to achieve that the Advisory, Conciliation and Arbitration Service was not, and how much will he cost the public purse?

John Swinney: I am prepared to spend the money to try to resolve the issue rather than do nothing. I am always mindful of the importance of the public purse—

Anas Sarwar (Glasgow) (Lab): You have done nothing for 14 months.

John Swinney: Mr Sarwar accuses us of doing nothing for months and, when we do something, Mr Johnson accuses us of spending public money. That lot are just a disgrace, with the interventions that they come up with.

We will get involved in the process to try to resolve the issue. Any nice gestures of support from the Labour Party would be quite helpful in the process, but we are not holding our breath for them.

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): I remind members that I am the parliamentary liaison officer to the cabinet secretary.

Will the cabinet secretary advise how the proposed terms and conditions and in particular the changes to annual leave that are sought by the EIS further education lecturers association compare to those for other roles in the public sector?

John Swinney: Clearly, there will be comparisons of the arrangements, which vary from sector to sector. It is important that we focus on the evidence in the college sector to find a common base, that we then resolve those questions to ensure that the strike is drawn to a conclusion and the dispute resolved and that we implement national bargaining, which is the Government's objective.

The Presiding Officer: I thank all members for their participation.

Disabled People

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-05594, in the name of Jeane Freeman, on a fairer Scotland for disabled people. I remind members that the debate is being relayed in British Sign Language and—I should have warned myself—not to speak too rapidly to allow it to be properly conveyed.

15:11

The Minister for Social Security (Jeane Freeman): I thank the BSL signers who are here and the significant number of disabled people from organisations from throughout Scotland who have joined us in the gallery for the debate.

Last December, we published “A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities”, which is our delivery plan for upholding the principles of the convention. Disabled people are one fifth of our population—one in five. They are husbands, wives, partners, sisters, brothers and friends, but too many of them are unable to contribute to society or live the lives that they wish to live because of the barriers that we allow to stand in their way. Inaccessible facilities and communication are part of the issues that they have to deal with in order to live as everyone else wants to live. However, the bigger issue is the attitude of those of us who are not disabled: our limited expectations of our fellow citizens, our careless ignorance of the barriers that they face and, as we heard only this week, our increasing toleration of the discrimination, abuse and inequality that disabled people face.

To get Scotland to a point at which disabled people have choice, dignity and control to live the life that they choose requires transformational change. The scale and extent of change necessary will take concerted action over this parliamentary session and beyond, but our disability delivery plan, which was co-produced with disabled people, sets us firmly on that road.

For most of us, having a job defines a large part of who we are. It reinforces our feeling of being part of society, gives us some degree of choice and security and affects our quality of life and that of our families. Disabled people are no different. Time and again, they tell me that they want the chance to contribute their talents and skills through meaningful employment. I will focus on that. In doing so, I will say something about the environment in which we all work to give some context to the scale of the task that we are

undertaking and, more important, the scale of the challenge that disabled people face every day.

In 14 weeks’ time, the United Nations Committee on the Rights of Persons with Disabilities in Geneva will examine our track record on disability, along with those of the UK Government and the other devolved Administrations. That is the same committee that concluded that

“there is reliable evidence that the threshold of grave or systematic violations of the rights of persons with disabilities has been met”

by the UK Government.

Some of our colleagues in the Parliament chose to ignore or belittle the seriousness of that conclusion, but the facts speak for themselves. The harsh reality is that disabled people are under attack from a UK Government that shows little or no respect for their human rights. Tory members in the Parliament and in the UK Government tell us repeatedly that the point of their welfare reforms—which will take £1 billion away from people in Scotland by 2021 on top of the £1.4 billion that has already been removed—is to help people move from benefits into work.

For disabled people—and, indeed, others—the exact opposite is the case, and anyone with any sense could see that. Cuts to support in the transfer from disability living allowance to personal independence payments; cuts of £30 a week to the work-ready element of employment and support allowance; the removal of people’s mobility cars, which is happening at the rate of 800 a week at the moment, even though they are essential to people’s independence and are a practical aid to working; the reduction in the work allowance on universal credit; a freeze on in-work benefits; the abolition of the independent living fund, which we have invested in from the Scottish budget to retain in Scotland; and the imposition of the bedroom tax, in relation to which our mitigation investment shows that 80 per cent of the households that we help have a disabled member—outside of the virtual reality that is inhabited by the Tories, where warm words and robotic soundbites are supposed to substitute for compassionate, caring action, none of those initiatives could possibly be considered to be ones that help people move into work.

Further, the fact that 65 per cent of PIP tribunal appeals, 68 per cent of ESA appeals and 56 per cent of DLA appeals were upheld in one quarter alone shows that it is not only the UK Government’s policies that are wrong but its delivery of them. It gets that delivery so wrong so often that it not only wastes public money but, more critically, leaves disabled people feeling—as one put it—crushed by the UK Government.

Jeremy Balfour (Lothian) (Con): We hear a lot from this Government about people losing their mobility cars. People have lost their cars because the tests changed from “Can you walk 100 yards?” to “Can you walk 50 yards?” What definition will the minister have with regard to someone getting a car? Fifty yards? A hundred yards? A mile? Or will she just give everybody in Scotland one car each?

Jeane Freeman: Mr Balfour is, of course, quite wrong. People are losing their mobility cars at the rate of 800 cars a week because the United Kingdom Government has imposed a completely arbitrary assessment with regard to how to determine whether people have to use a car in order to access the mobility they require.

Specifically in response to Mr Balfour’s question, I will give him a wee example. Last week, a young woman whose leg was amputated in January was told that she did not need her mobility car, despite the fact that she has two children, despite the fact that her prosthetic leg is not yet the one that she will use, despite the fact that she uses sticks and despite the fact that she lives a significant distance from a supermarket or any shop. Mr Balfour can tell me that that is the result of a fair system and I will tell him how we will determine what to do. We will make that determination on the basis of our experienced panels that involve more than 2,000 people with direct experience of the benefits system. They will help us and guide us with regard to what is a fair and just system.

Let us return to that supposedly just system. The fact that 65 per cent of PIP tribunal appeals, 68 per cent of ESA appeals and 56 per cent of DLA appeals were upheld in one quarter alone shows that it is not only the UK Government’s policies that are wrong but its delivery of them. It gets that delivery so wrong so often that it not only wastes public money but, more critically, leaves disabled people feeling—as one put it—crushed by the UK Government

That is the environment that disabled people face and which we have to work against. We are determined nonetheless to secure transformational change and we know that we can do that only by working directly with disabled people and the organisations that represent them. We will honour our commitment to maintain this year’s record level of investment in disabled people’s organisations and work towards introducing a three-year funding model to give a greater degree of certainty for the future, with the detail to be set out next month by my colleague the Cabinet Secretary for Communities, Social Security and Equalities.

We recognise that, with the exception of Northern Ireland, Scotland has the largest employability gap in the UK between disabled and

non-disabled people, and we know that that is unacceptable. Therefore, our plan sets out a number of specific actions to deal with that. We will reduce the employment gap by half; we will work with disabled people’s organisations and the public sector to set a target that will increase the percentage of disabled people in the public sector workforce; and we have implemented changes to the modern apprenticeship programme to give young disabled people the highest level of funding until the age of 30 and to deliver the important improvements around part-time and flexible engagement that were sought by disabled people’s organisations. All of that will help, together with the significant improvements in our devolved employment programmes, but we need much more concentrated effort on tackling the barriers to employment.

We committed to hosting a major congress on disability, employment and the workplace. That congress will take place this December. In order for it to have maximum impact, I can announce today that my colleague the Minister for Employability and Training and I will lead a week-long programme of events with employers, the Scottish Trades Union Congress, disabled people’s organisations and others to examine in detail the employability issues and to agree additional concrete steps to increase employment levels, which we will then take to the congress for its agreement. I am pleased to have the STUC’s support for that approach, and I agree with the STUC that it will

“provide a solid foundation for delivering fair work and equal employment opportunities for disabled people”.

In the meantime, I believe that we all have a part to play in improving the employment chances of disabled people. Some members will be aware of the hugely successful internship programme for disabled people that ran during the previous session of Parliament. The intern positions of my fellow MSPs Andy Wightman and Jamie Hepburn translated into full-time employment. Our delivery plan committed us to building on that through a new 120-place internship programme across the public and third sectors and in politics, so I am pleased to inform the chamber that we will lead the way with funding for a new Scottish Government internship programme for disabled people.

For some businesses and employers, what they believe to be the difficulties of employing a disabled person lead them to lose out on talent and ability that would bring real value to their company’s growth and sustainability. Part of the issue is to do with an assumption that there will be problems and difficulties, and part of it is to do with a lack of awareness of the help and support that are available. All of that leads to a lack of

opportunity for the disabled person and a loss to the employer of a valuable employee.

I am delighted to say that, next month, the Scottish Government will launch a marketing campaign that is specifically designed to tackle that issue head on, which will feed into the congress that I mentioned. The campaign has been brought together with the support of disabled people, and it will be targeted at employers to raise their awareness of the benefits of hiring and retaining more disabled people in their workforce. It will also provide disabled people with the information that they need to secure support for the adjustments that will help them and their employer through the access to work fund. We are six months on from the launch of our delivery plan, but with those commitments and others that I have not had to time to go into already under way, we can drive forward towards the change that we need in the employment prospects of disabled people.

I want to turn to one other area of progress. Two weeks ago, we had elections to Scotland's local authorities. They represented the first real test of our access to elected office fund. All of us here know what challenges and demands are placed on candidates who stand for elected office. For disabled people, those challenges can be almost overwhelming. The fund was put in place to meet their additional disability-related costs.

I am pleased to tell members that, of the 39 candidates who received support through the fund, 15 were elected to 12 local authorities. I was delighted to meet two of them—from the Green Party and the Conservative Party—earlier. I believe that that is a tremendous result and a clear demonstration that, with financial support and cross-party political will, we can make a difference. It is important that the Parliament genuinely reflects the population of Scotland. I am grateful to the Inclusion Scotland team that administered the fund on our behalf, and I am delighted to tell members that it has just been shortlisted in the Scottish Council for Voluntary Organisations charity awards for that work.

Although we have committed to keeping the fund in place until the next Scottish Parliament elections in 2021, I am disappointed that we cannot use that support for the current UK general election. The terms of the Scotland Act 2016 prohibit us from doing so. That situation is all the more regrettable when it is set alongside the repeated refusal of the UK Government to reopen its access to elected office fund.

That UK Government fund has lain dormant since 2015, denying disabled candidates the support that they need, and which we have demonstrated works, to stand in the current general election. Nonetheless, I am determined to

build on the success of our fund, so we will explore options over the summer on how we might use it to assist disabled people who want to undertake other forms of public service. I will report back on my proposals in the autumn.

This Government will do everything that it can to support and advance the human rights and dignity of disabled people in Scotland. I hope that our first six months' work demonstrates the seriousness of our intent and that, despite the additional obstacles presented by the harmful policy actions and decisions of the UK Government, our commitment is one that we are clearly determined to meet.

I move,

That the Parliament recognises the valuable contribution that disabled people make to Scottish society and Scotland as a whole; acknowledges that transformational change is needed in order for disabled people to realise their full potential; agrees that this can be achieved by working with disabled people and their organisations and therefore supports the co-production approach and actions set out in *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; recognises the Scottish Government's commitment to implementing the UN Convention on the Rights of Persons with Disabilities so that disabled people in Scotland can exercise all of their human rights; notes the UN Committee on the Rights of Persons with Disabilities' report in 2016, which found evidence of grave and systematic violations of disabled people's rights by the UK Government's welfare reforms, and condemns the changes and cuts to disability benefits imposed by the UK Government, which are continuing to cause harm to the rights of disabled people.

The Deputy Presiding Officer: Thank you, minister. I call Adam Tomkins to speak to and move amendment S5M-05594.2. Mr Tomkins, you have 11 minutes or thereabouts, please.

15:25

Adam Tomkins (Glasgow) (Con): This is the second time that the Parliament has debated "A Fairer Scotland for Disabled People". When we did so on 8 December, the minister made a number of commitments. She said that, among other matters, she would reform adult social care so that its focus shifted to the achievement of independent living; that she would consult on the future of long-term care capacity; that she would improve information about, and the accessibility of, self-directed support, especially as regards portability from one local authority to another; that she would improve the transitions for disabled children and young people from education to employment so as better to align learning and skills; that she would provide the highest level of apprenticeship funding for young disabled people; that she would make public transport more accessible; and that she would ensure that local authorities in Scotland set

realistic targets for the delivery of wheelchair-accessible housing.

That was nearly six months ago. What progress on those undertakings was the minister able to report to Parliament today? There has been substantial progress on employment and very welcome progress on access to elected office, but precious little progress on all the other issues. Therefore, I will review them.

On the commitment to work with local authorities and other partners to reform adult social care, there has been no discernible progress; on the commitment to consult on long-term care capacity, there has been no apparent progress in the six months since we last debated the issue.

Jeane Freeman: Will the member take an intervention?

Adam Tomkins: In a moment.

On the commitment to make public transport more accessible, not only has there been no identifiable progress, but the Scottish Government has actually cut funding for concessionary fares and bus services, despite the fact that the delivery plan pledges the Scottish Government to

“continue to support ... measures such as concessionary travel”.

On the commitment to increase and improve wheelchair-accessible housing, there is no evidence in any of the Scottish Government's news publications, ministerial statements or answers to parliamentary questions since December that ministers have had any discussions with local authorities about that; and on the commitment to set a clear target for employment levels of disabled people in the public sector, there has been, again, no discernible progress.

Therefore, there has been no open consultation, no sign of any public consultation and no evidence of any stakeholder consultations either. What is worse is that Inclusion Scotland reports that the proportion of disabled people applying for, and being appointed to, public bodies in Scotland fell last year.

As so often with this Government, when it comes to social security, social justice and welfare, it is all froth and no beer, all talk and no action, shouting and screaming about the Tories and about Westminster, whilst ministers sit idly on their hands, preferring the politics of protest to getting on with the day job of exercising the powers at their disposal.

Jeane Freeman: I would be curious to know what evidence Mr Tomkins has for most of what he has just said. It is six months since we

announced what we would do and I had only 15 minutes for my speech, but I would happily take a lot longer and take Mr Tomkins through the whole jingbang.

By the way, it was his UK Government that took 10 years to roll out universal credit but has still not finished it and has still not got it right. So, do not come here and talk to me about what has been achieved in six months, sir.

Adam Tomkins: Well, that was a helpful intervention, was it not?

What we know is that, since 8 December, the Equality and Human Rights Commission has published a report warning that 20 years of progress towards real equality for disabled people in Scotland is at risk unless we see what it called “concentrated effort” around housing, hate crime, mental health, employment and education. According to the commission, 15 per cent of Scottish wheelchair users are “inadequately housed”—that is 17,000 people. The EHRC found that disabled pupils have a much lower attainment rate and are more likely to be permanently or temporarily excluded from school; that disabled Scots are two and a half times more likely to be unemployed than non-disabled people; and that the amount of wheelchair-adapted local authority housing has decreased.

Since our December debate, we have also learned that, as the Education and Skills Committee reported just yesterday, Scottish schoolchildren with additional needs are finding that barriers to their success are being erected and not removed under this SNP Government. Last week, we saw the devastating reality of the SNP's undermining of Scottish education, with functional illiteracy on the increase and fewer than half of our secondary 2 pupils able to read and write to the expected standard. Yesterday, we saw how the number of teachers and other staff with an additional support needs specialism has reduced in recent years, as has the number of educational psychologists. Indeed, the Education and Skills Committee—

The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance): Will the member give way?

Adam Tomkins: I will happily give way when I have finished the point about additional needs.

The Education and Skills Committee took evidence that the number of teachers working with learning support has decreased by more than a quarter. The committee's conclusions on that are a damning indictment of SNP mismanagement, with children now feeling

“more excluded in a mainstream school setting than ... in a special school.”

With a reduction in the number of specialist staff in classrooms, a reduction in specialist support services and a reduction in special school places, none of that is surprising, but it should shame the SNP and it gives the lie to its empty rhetoric about treating young Scots with disabilities with dignity, fairness and respect.

Bill Scott of Inclusion Scotland said in evidence to the Social Security Committee:

“There are disabled children with sensory impairments and physical impairments but no intellectual impairment whatsoever who are leaving school with no qualifications. That makes their chances nil in the current job market. Unless we change that, we will not change their future ... and their children will be living in poverty, so we have to change the cycle.”—[*Official Report, Social Security Committee*, 20 April 2017; c 25.]

[*Interruption.*]

The Deputy Presiding Officer: Excuse me a minute, Mr Tomkins. I am sure that I am not alone in hearing music. Has somebody got their phone on?

Also, I remind the member that the BSL interpreter is trying to follow him, so I ask him to slow down a little. I say that to everyone.

Adam Tomkins: Indeed. I was more worried about running out of time. I apologise.

The Deputy Presiding Officer: I will give you time if you slow down a little.

Adam Tomkins: Bill Scott was giving evidence on the Child Poverty (Scotland) Bill, but what provisions are included in that bill even to address—never mind to tackle—the barriers that he was talking about? The answer is none, for the bill seeks only to measure child poverty, including poverty among children with disabilities, and not to tackle or reduce it. The bill is yet another SNP missed opportunity.

Angela Constance: It is a bit of a cheek for a Tory to talk about child poverty when we know that, under his Government, it is going to rocket to unacceptable levels. We should also bear in mind the fact that children who live in poverty are more likely to have a disabled parent.

On the point about achievement, I wonder whether Mr Tomkins will recognise some facts. On school-leaver destinations, the percentage of children with additional support needs who achieve positive destinations has increased—it is now up to 85 per cent; in 2010, it was 71 per cent.

I also wonder whether Mr Tomkins recognises that there are an increasing number of classroom assistants. It is simply not true to suggest that the number of staff supporting children with additional support needs has fallen. That is not the case.

The Deputy Presiding Officer: That was a long intervention, so I will give you the time back.

Adam Tomkins: The facts, which the cabinet secretary wants to talk about, are these. There has been a reduction in the number of specialist staff in classrooms, a reduction in specialist support services and a reduction in special school places. All of that was reported unanimously, as I understand it, by the all-party Education and Skills Committee just yesterday. If the SNP, through its curriculum for mediocrity, is failing all of Scotland's schoolchildren, it is failing in particular Scotland's schoolchildren with disabilities.

As for how we have the cheek to talk about child poverty, I note that the Parliament is considering the Child Poverty (Scotland) Bill, which we on the Conservative benches will be seeking to make a bill with real teeth rather than just four flimsy pages—

Angela Constance: You should be blushing.

The Deputy Presiding Officer: I ask those on the Government front bench to contain themselves, please, and not to heckle but to intervene instead.

Adam Tomkins: It does nothing to tackle or reduce child poverty but simply contains a series of provisions to measure it.

Jeane Freeman: Will the member give way?

Adam Tomkins: No, I will not.

Measuring child poverty is important, but tackling and reducing it are even more important. We will lodge amendments to the bill to give it real teeth.

The Deputy Presiding Officer: I advise the member that he is deviating a little from the motion and his amendment. I ask him to get back to his amendment.

Adam Tomkins: I was simply responding to the point that the cabinet secretary made about child poverty, Presiding Officer.

Instead of focusing on any of the matters that I have mentioned, Jeane Freeman would rather pontificate and point the finger at the UK Government, so let us look at the UK Government's record, shall we?

This is a UK Government that is rightly proud of its long record of supporting disabled people to lead more independent lives and to participate more fully in society. It is a UK Government from the same party that, more than 20 years ago, enacted the ground-breaking and internationally celebrated Disability Discrimination Act 1995. It is a UK Government that spends more than £50 billion on benefits to support disabled people, a more than £6 billion increase on what the previous

Labour Government spent—that is 2.5 per cent of gross domestic product and more than 6 per cent of all Government spending. The UK spends more on disabled people and people with health conditions than the Organisation for Economic Co-operation and Development average. It spends more than France, more than Germany and more than the United States of America.

Today's Government motion says:

“transformational change is needed in order for disabled people to realise their full potential”.

We agree. If, as Inclusion Scotland and others have said, the “A Fairer Scotland for Disabled People” delivery plan is a useful basis on which to build, it is time for action, not words, from Jeane Freeman and her ministerial colleagues. It is time for action on housing; action on public transport; action on employment support; and urgent action on additional support needs in our schools.

I move amendment S5M-05594.2, to leave out from “A Fairer Scotland” to end and insert:

“the UK Government's document, *Improving Lives, The Work, Health and Disability Green Paper*, and in the Scottish Government's paper, *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; notes the UK Government's response to the report of the UN Committee on the Rights of Persons with Disabilities; recalls that the Parliament debated the Scottish Government's paper on 8 December 2016 and calls on the Scottish Ministers to provide a full update of the actions that they outlined during that debate; notes with concern that cuts in Scotland to the number of teachers to support children with additional needs risks jeopardising the life chances of disabled children in Scotland, and urges the Scottish Government to tackle this problem as a matter of urgency.”

The Deputy Presiding Officer: Thank you very much, Mr Tomkins. You did not even need all of your time, despite all the interventions. I call Alex Rowley to speak to and move amendment S5M-05594.1. You have eight minutes or thereabouts.

15:36

Alex Rowley (Mid Scotland and Fife) (Lab): I support the general direction of the motion and I hope that we can find some consensus in Parliament this afternoon in this important debate.

Scottish Labour welcomes “A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the United Nations Convention on the Rights of Persons with Disabilities” and the use of the social model of disability, which states that it is society that disables people and that it is our job to remove the barriers. We also welcome the delivery plan's approach and actions. In the delivery plan, the minister acknowledges that the scale and extent of the change that is necessary for transformation in disabled people's experience will

require concerted action over this parliamentary session and beyond.

Today's debate is important, but it is equally important that we are able to be confident that progress on the delivery plan is measured regularly, otherwise the risk of not making the necessary progress will remain. I hope that the minister will answer that point in summing up.

I note for example that, on housing, the delivery plan quotes the chief executive of Glasgow Centre for Inclusive Living, who said:

“Accessible housing is the cornerstone of independent living. Without an accessible home, it's clearly impossible for many disabled and older people to live as equal citizens—to work, to play, to have relationships, to be active members of our communities and all that follows from that: in other words to do all the things nondisabled people take for granted.”

I agree, but I am less than convinced that the Government's approach to delivering on its promise of 35,000 social rented houses will deliver on that. Indeed, without any focused local delivery planning, I very much doubt that it will deliver the numbers, never mind the type of housing, that will be required for a fairer Scotland for disabled people.

Enable Scotland points out, for learning disability week, that there are key issues, not least in education, where more than half of young people who have learning disabilities and/or autism spectrum disorders feel they are not achieving their full potential at school.

Inclusion Scotland points out that although the Scottish Government has provided £250 million to health boards to pass on to integration authorities to support social care, that must be seen in the context of cuts to local government budgets of more than £500 million, which is likely to lead to further cuts in social care budgets. Furthermore, it said that it

“has frequently highlighted the crisis in social care which has seen the focus moved to meeting only critical and substantial ... need. It can mean disabled people effectively being prisoners in their own homes—dressed, washed, fed and toileted but unable to go out to meet friends or family to take part in social activities”

that most of us take for granted. We need joined-up government, but we also need the resources to be able to deliver the actions. In education, that means more direct support for teaching and learning, more teaching assistants and an end to cuts at local level.

The same is true for health and social care: we know that joint integration boards are struggling to balance the books and to meet the growing demands that are being placed upon them.

If we are to deliver the plan in all those areas, we need joined-up government and we must stop

cutting local services. In supporting the plan, I want also to see more discussion on how progress and outcomes will be measured and monitored. We should be clear that it is in the interests of disabled people that we deliver on the plan, but it is equally in the interests of all Scotland that we do so.

I hope that we agree that disabled people make a huge contribution to Scottish society. It is therefore both despicable and unacceptable that over the past seven years the UK Government has ensured that disabled people have borne the brunt of Tory cuts to benefits and services. Not only have disabled people had to bear the brunt of those cuts but, disgracefully, the Tories have contributed to the vile narrative that vilifies people with disabilities using divisive rhetoric—for example, “scroungers” and “shirkers”. In that climate, the recorded level of disability hate crime has, sadly, increased and continues to increase.

The latest report from the Centre for Welfare Reform demonstrates how the burden of cuts falls on minority groups, with the greatest impact being on disabled people.

Adam Tomkins: The fact is exactly the opposite of what Mr Rowley has just said. The current UK Government is spending £50 billion on disability benefits—more than £6 billion more than the previous Labour Government spent. The money has gone up; it has not been cut.

Alex Rowley: That is simply not the case. Professor Tomkins is ignoring the facts. The fact is that disabled people are bearing the brunt of the welfare cuts. That is just a fact, and he needs to look at the evidence. The fact is that people are getting poorer. The previous Labour Government lifted millions of people out of poverty. The Tories in Westminster, supported by the Tories in this Parliament, are driving millions and millions more into deeper and deeper poverty. That is a fact.

I believe that we in this Parliament must speak up in support of disabled people who are under attack and are being driven further into poverty as a direct result of Tory Government policy. We must demand a halt to the current programme of cuts and an independent assessment of the cumulative impact of the cuts on disabled people and other vulnerable groups.

It is clear from the Tory amendment that the Scottish Tories stand four-square behind the attacks on the weakest, the poorest and the disabled: so, no change there. One would think that the findings of the Equalities and Human Rights Commission would embarrass the Scottish Tories into stopping the attacks on disabled people, but no—they are just the same old Tories, standing up for the few.

However, as the Green amendment—which was not accepted for debate—pointed out, we have in this Parliament the power to start to address the worst aspects of the Tory attacks on disabled people. I say to Jeane Freeman that we need to hear more about what can be done and more about specific timelines for transfer to, and use of powers in, Scotland. I know that there are complex issues, but we must take the powers as soon as possible and we must begin to use them in the best interests of Scotland and its people. We have had the consultation, we have established the principle that we must build a fairer and more dignified social security system, so I look forward to the draft bill and to making the necessary progress.

Finally, I call on the Scottish Government to launch a nationwide benefit uptake campaign, in partnership with councils and the third sector, to ensure that the tens of thousands of people who are not getting the support that they need, and to which they are entitled, will be supported. We can do more; we need to do more. Actions speak louder than words and in this area we need actions.

I move amendment S5M-05594.1, to leave out from “, and condemns” to end and insert:

“; is particularly concerned at the Equalities and Human Rights Commission’s findings that these welfare reforms imposed by the Conservative administration have resulted in a ‘particularly disproportionate, cumulative impact on the rights to independent living and an adequate standard of living for disabled people’, and condemns these cuts, which have caused major harm to the rights of disabled people.”

15:44

Mairi Evans (Angus North and Mearns) (SNP): I remind Parliament that I am the parliamentary liaison officer for the Cabinet Secretary for Communities, Social Security and Equalities.

It is a real pleasure to take part in the debate and to stand here as a member of a party that is determined to create a fairer Scotland for disabled people. I will focus on the experience of people with hidden disabilities—people who are deaf or have a hearing impairment—in order to highlight the barriers that they currently face in terms of work and in accessing social security.

I decided to focus on their experience because of an event that I attended last week, which was sponsored by Fulton MacGregor, for Action on Hearing Loss. It particularly touched and affected me. Their situation is also pertinent, given that this is deaf awareness week. All the points and issues that were raised at that event need to be given a wider airing. We all need to be aware of what is happening and to understand the problems so that we can actively try to change things for the better.

I think that the subject is also particularly important because—to be perfectly honest—it highlights my own ignorance in some areas.

It is embarrassing to admit it—I do not know whether any other members would have been aware of this—but, until that event, I did not understand the basic point that English is a second language to many people who are deaf, whose first language is British Sign Language. That is just one thing that I had never fully considered or appreciated. At the event, we heard examples of barriers that that presents when it comes to applying for jobs and social security—most notably in the personal independence payment application. The application itself is long and complex—about 40 pages—and is not simple to fill out, especially given that it is in a different language from the language that deaf people use.

There is also the fact that inquiring about and applying for benefits requires initial contact via telephone calls or extensive written communication, which has obvious pitfalls for someone who is deaf or has a hearing impairment. The face-to-face assessments are no better, because applicants need the support of an interpreter or note taker.

It was disturbing to hear stories about some medical assessments. We were told that, at one medical assessment, the assessor stood behind the person and shouted, “Can you hear me?” from a distance. We heard of another assessment at which a client was asked to spell the word “world”. When it was highlighted that a note taker was present and the spelling could be seen on a screen, the assessor simply asked the client to turn around and spell the word backwards because that would make it more challenging.

We also heard of improper and entirely inappropriate conversations being held in front of the client because the assessor knew that they could not hear them. We were told of a local council that, when presented with a deaf client who was in crisis and in need of support, refused to pay the costs of an interpreter and refused to accommodate their communication preferences. Action on Hearing Loss was then forced to intervene and to arrange and pay for the support. Lack of clear communication, downright insensitivity and improper conduct are commonplace. Those are just a few examples that we heard of.

We heard directly from Pamela, who suffers from a number of conditions—she is deaf and has Meares-Irlen syndrome, dyslexia and depression. She worked until eight years ago, when she was forced to stop because of those conditions. She also has a 30-year-old son who suffers from a number of complex conditions and needs round-the-clock care. Pamela outlined many of the

problems that she had experienced as well as some of the changes that could be made that would make a massive difference to her and her family, as well as to many others. One thing is clear: the PIP application and assessment process needs to be fundamentally changed. In respect of people who are deaf, it is about education and making people more aware.

Sometimes it is the most simple and basic things that need to be taken account of, such as that communication must be in plain English and in a format that does not exclude people with certain conditions. We must also eradicate the process of continual reassessment for people with lifetime conditions that are degenerative, offer no chance of improvement or are terminal.

Foremost in all that, we must make sure that those who need the support of social security get it and that it is enough to enable them and give them a good quality of life. That means taking a fundamentally different approach from that which has been damagingly implemented by the Tories at Westminster—an approach that has seen a massive increase in the number of people who are living in poverty and which is, to be frank, ruining lives. For example, 39 per cent of people living in poverty are in a household that includes at least one disabled person.

Changes to DLA and the transfer to PIP have seen many people falling through the cracks and either losing their benefit entitlement altogether or losing significant parts of it, including the mobility element. Since PIP was introduced in 2013, 51,000 people have lost their Motability vehicles, which act as a lifeline, especially to people in rural constituencies like mine. We have also seen the cutting to the tune of £30 a week of ESA, which, for some people amounts to a cut of nearly a third of their income. That is the very deliberate policy approach that has been utterly condemned by the international community, as was highlighted in last year’s report by the United Nations Convention on the Rights of Persons with Disabilities. That report is so damning that it would be an embarrassment if it were not so downright catastrophic, because it highlights violations of the rights of disabled people directly because of the policies that have been implemented by the Tories.

In Scotland, we have the chance to do something about the issue, which is why I welcome the Scottish Government’s delivery plan that puts people at its heart by building a system from the bottom up, based on the experience of those who have been through it before. There will be no more farming out assessments to the highest-bidding private company, no more sanctions and no more dehumanising and humiliating the people who most need our support. Instead, the plan is about building self-esteem and

confidence and treating everyone equally, with dignity and respect, and, quite simply, like human beings.

15:51

Jeremy Balfour (Lothian) (Con): I welcome the opportunity to speak in the debate. I make it clear that I am registered as disabled, I am in receipt of PIP and was for 20 years a DLA tribunal and then PIP tribunal member.

I will start with a comment that is aimed not necessarily solely at the minister, but at all members in the chamber. In previous speeches, we have heard a lot about “disabled people”, which I am not sure is the most helpful language for us to use. Disabled people come from different backgrounds, have had different experiences and have different disabilities. To categorise us all in one group is sometimes slightly demeaning. I understand why we use that term, and the difficulties around it, but I am not sure that we would get away with using such language for other protected characteristics. We have to be careful with the language that we use.

The reason for my saying that is that I want to talk briefly about PIP and the former DLA awards. The advantage of both DLA and PIP is that they do not look at a person’s disability, but at the effect that the disability has on that individual.

Sandra White (Glasgow Kelvin) (SNP): I thank Jeremy Balfour for taking my intervention. Disabled people have a right to be themselves, just as everyone else has. Will the member explain to me what advantage there is in taking £30 a week from disabled people who are on PIP? The UK Government classes them as disabled. How can he say that such a cut is an advantage?

Jeremy Balfour: If Sandra White will bear with me, I will develop that towards the end of my speech, if I have time.

It is important that we do not look at disability and say that a person has a disability and therefore should get an award. It is much better to ask what effect the disability has on that person’s lifestyle and then ask how we can help. That means that we will end up with people who have very similar disabilities, in medical terms, getting or not getting awards.

To go back to people losing their Motability cars, the test is very clear. It is about how a person walks, in terms of speed, manner and distance. That is what the law lays down, both for DLA and for the new PIP. The only change was that the Government reduced the distance figure from 100 yards to 50 yards. To answer the minister’s question about the lady whom she met last week,

the position will depend on how her walking goes with an amputee leg and with sticks.

Jeane Freeman *rose*—

Jeremy Balfour: If the minister will bear with me, I will come back to her. A number of years ago, a person who had artificial legs came to the tribunal of which I was a member. With the use of sticks, she could walk a fair distance, so she did not get the old DLA award. That seemed to be right to me, because the award is made in respect of how a person walks and not just because they have only one leg or no legs.

Jeane Freeman: I thank the member for that explanation, but will he explain why, if PIP decisions are so clear cut and fair, 65 per cent of appeals against those decisions are upheld? That suggests that if we really look at what disability benefit is for and at the real person who is in front of us, we can see that the initial decisions that the member is talking about are badly wrong.

Jeremy Balfour: As the minister will be aware, only 6 per cent of people who are refused PIP appeal that refusal, so it is clear that the majority of people who do not get PIP accept that the decision was correct.

We need to look at how assessments are done. I am not saying that the decision is right in every case. In my experience, when I filled out the PIP form and went to the assessment, I was treated with respect and it all went smoothly, but I accept that not everyone has that experience.

I am slightly concerned about where the Government is going when it says that we should rely on medical records, and on letters from teachers and social workers. Such documents have value, but my 20 years’ experience—including, at tribunals, an exercise in which we used to get all the medical records in—tells me that most doctors do not know whether I need help to peel a potato or to get in and out of the bath. The answers to those questions can come only from direct evidence.

Mairi Evans said that we need to reform the system but gave us no ideas about how. Will we have no decisions, with everybody who applies for an award getting it? Where will the lines be drawn? Is it 50 yards, 100 yards or 200 yards for a Motability car? The Government has simply not answered such questions.

Clare Haughey (Rutherglen) (SNP): On the point about evidence, is the member suggesting that healthcare professionals lie when they send in reports to PIP or DLA assessments?

Jeremy Balfour: Absolutely not; I am saying that they simply do not know. I go to my general practitioner if I have a cough, but we are talking about writing to a GP to ask how far a person can

walk or whether they can peel potatoes. The GP does not lie; they simply do not know that information. The best evidence is always from the claimant himself or herself. A tribunal should be a positive experience because the claimant has been able to put forward their story.

We all agree that there needs to be some sort of assessment, but we have had no clarity from the Government on what that should be. I know a lot of disabled people—I use those words myself; a lot of people who have a disability do—who are worried that something will take them out of PIP. Will the minister say that, from now on, everybody that has PIP will continue to get it? Can she make that claim? If so, what is the justification?

15:58

Ruth Maguire (Cunninghame South) (SNP): It is fair to say that the UK and Scottish Governments disagree on many different things, but there is perhaps no clearer difference between them than can be seen in their respective approaches to the rights and welfare of disabled people in our welfare system.

This debate is about the Scottish Government's ambitious plans to deliver on the UN Convention on the Rights of Persons with Disabilities. Meanwhile, the UK Tory Government's on-going welfare reforms have been condemned as being in "grave" and "systematic" violation of the very same convention. Whatever our party politics, that should appal and horrify us all.

It is worth reminding Parliament of some of the conclusions reached in that UN report. Changes to housing benefits and PIP criteria, together with the scrapping of the independent living fund, have

"disproportionately affected persons with disabilities and hindered various aspects of their right to live independently and be included in the community."

The bedroom tax was described as having

"failed to recognize the specific living arrangements that persons with disabilities require".

Assessments were found not to take into account

"the support persons with disabilities need to perform a job or the complex nature of some impairments and conditions".

Perhaps of most concern, it was found that welfare assessors displayed a

"lack of awareness and limited knowledge of disability rights and ... specific needs",

which forced disabled people to endure unimaginable anxiety and psychological strain.

It is shocking, if not surprising, that more than half the disabled people who have been declared fit to work by the Department for Work and Pensions have successfully appealed the

decision. That is testament to the fact that the work assessment process is a shambles, although a successful appeal is of cold comfort to those who have been put through hell and back to secure the support that they are entitled to.

With quite astounding, if not unfamiliar, arrogance, the UK Tory Government has rejected the UN report's findings. As an MSP who helps constituents and as a member of the Parliament's Social Security Committee, I have heard extensive and first-hand evidence of the reality of the horror of and damage caused by the UK welfare reforms, particularly for disabled people. Enable Scotland has described the cuts to employment and support allowance as "devastating", and evidence that Inclusion Scotland submitted to the Social Security Committee set out how a disabled person on the Tories' work programme is three times more likely to be sanctioned than to be found a job. I will just let that sink in.

The contrast with the Scottish Government's actions, values and plans could not be starker. Despite the political and economic confines of devolution, the Scottish Government has diverted substantial amounts to mitigate Tory welfare cuts, including to fully protect households from the bedroom tax—and 80 per cent of households that are affected by the bedroom tax have a disabled adult in them.

The Scottish Government is building a Scottish social security system that is based on dignity, fairness and respect for all our citizens. Listening to the people who use and rely on social security must be at the heart of that. Important first steps have already been taken to ensure that people's experiences are listened to and inform policy through the setting up of social security experience panels. Creating our social security system in consultation with those with real, lived experience of social security is of particular importance for disabled people, as their needs and the barriers that they face are quite often poorly understood.

When Inclusion Scotland gave evidence to the Social Security Committee, it noted that employability services for disabled people down the years have often been flawed due to the limited understanding of the barriers to work that disabled people face. For example, Dr Witcher pointed out that, although it is often assumed that the problem is something to do with the person—the individual's lack of skills or confidence, or how they manage their condition—in fact, it tends to be just as much to do with employer attitudes or the fact that employers do not have the information or the support to know how to advertise roles in an accessible way. That point underscores the fact that transformational change is required to shift societal attitudes and remove barriers. For that

very reason, I welcome the fact that the delivery plan is based on the social model of disability, which views disability as the relationship between the individual and society, as opposed to the medical model, in which an individual is understood to be disabled by their impairment.

Supporting and enabling disabled people is in all our interests. Disabled people already make an immensely valuable contribution to Scottish society. With even better support and individual freedom, they will be able to flourish and contribute even more in the future.

Each time that we discuss social security in the chamber, particularly when disabled people's rights are concerned, I am torn between feelings of anger and contempt for what the UK Tory Government is doing, and feelings of comfort and hope that, in Scotland, under the Scottish National Party Government, we can take an entirely different path.

I urge Tory colleagues to take stock of the UN report, which castigates them for their punitive welfare cuts—cuts that disproportionately impact on disabled people and violate their rights—and join the rest of the MSPs in firmly committing to equality for disabled people and striving to create a Scotland that is fair and inclusive for all.

16:04

Alison Johnstone (Lothian) (Green): I very much welcome the opportunity to speak in the debate, and I welcome the motion, the later section of which draws attention to welfare reforms and the hugely negative impact that they have had on too many disabled people. I will focus on that issue in my speech.

The debate is well timed because, from tomorrow, the Parliament will have the power to legislate on disability benefits. Scotland can chart a different course from the one that the UK Government has charted for it, and can create a fairer and more respectful system of social security for disabled people. I hope to lay out some suggestions as to how that might be achieved.

As the motion notes, welfare reform has impacted disabled people very negatively, and people who have disabilities and health conditions are being particularly hard hit by cuts to benefits that help them with additional costs. Most people who receive such support through the disability living allowance benefit are being transferred to the new system of personal independence payments. While some DLA claimants have benefited from the move to PIP through getting higher awards, the opposite is also true. Figures from October last year show that 25 per cent of DLA recipients who were assessed for PIP were

denied support altogether, and 23 per cent had their benefit reduced. The Scottish Government's annual report on welfare reform suggests that approximately 30,000 people will lose entitlement, with an average loss of £2,600 a year.

The figures for new PIP claims are even worse, as almost 60 per cent of all new applicants to January 2017 were denied help. That risks plunging disabled people into poverty, given that 39 per cent of people in poverty are living in a household with at least one disabled person and that the costs associated with disability average £550 per month.

It is not just a matter of recipients having to cut back a little and go without a few extras. Disability living allowance pays for the support that people need to live their lives—it pays for essential care or allows them to see friends and family or go out to work. That is why the motion is absolutely correct to say that the reforms harm the rights of disabled people, including the right to live independently and with dignity and respect.

In a week when many more DLA claimants lost their adapted car, scooter or electric wheelchair, Ruth Davidson chose to pose on one of Trossachs Mobility's all-terrain scooters for a publicity stunt. Ms Davidson may have been able to go anywhere she wanted on one of those machines, but many disabled people are stranded in their homes and are no longer able to get to work, which increases isolation and poverty.

Before I move on, I draw attention to the system of testing that is used for the new PIP benefit. Narrow points-based approaches do not capture the real, lived experience of disability and ill health and the impact on people's ability to live independently. Such tests, which are administered by people who do not know the claimant, are doomed to be wrong in many cases—indeed, they are wrong.

Jeremy Balfour: Will the member take an intervention?

Alison Johnstone: Certainly.

The Deputy Presiding Officer: I call Adam Tomkins.

Adam Tomkins: It is Jeremy Balfour, actually. [*Laughter.*]

The Deputy Presiding Officer: I beg your pardon—I did not even bother to look. I apologise to both of you; I do not know whom I have insulted more.

Jeremy Balfour: It is clearly me, Presiding Officer.

Adam Tomkins: I agree.

Jeremy Balfour: I thank Alison Johnstone for taking my intervention. She does not like the present test. What would she use in its place?

The Deputy Presiding Officer: I will get this one right: I call Alison Johnstone.

Alison Johnstone: Thank you, Presiding Officer.

I would listen to the advice of the medical professionals with whom claimants have been dealing for many years, rather than use an arbitrary test of whether people can walk 50m or 100m. As we have heard, many conditions are complex and change from day to day.

I point out to Mr Balfour that the PIP test costs £182, in comparison with £49 for the previous DLA assessment. That is around three and a half times as much, and that £182 is paying for failure. Across the UK, around 70,000 PIP appeals went to tribunal last year, and the most recent figures show that 62 per cent of the decisions were overturned. Tribunal cases cost almost £250 each to hear, so millions of pounds are being wasted.

The published statistics for Scotland show that, as at August last year, there were 170,000 DLA recipients, and around 23,000 reassessments are being processed each quarter. That will continue even after tomorrow, when legislative power over those benefits is passed to this Parliament.

The Scottish Government has made some encouraging initial statements on how we might move towards a more dignified and accurate system of testing. It is absolutely right that we should move towards long-term awards for conditions that are unlikely to change, so that recipients do not have to go through the stressful process of constant reassessments.

I was very pleased to get a positive response from the Minister for Social Security to my question about bringing GPs and other medical professionals back into the heart of the assessment process. In many cases, medical evidence from GPs and other medical staff should be sufficient of itself to support a claim. That would be a big step towards a more respectful and dignified system.

To make the benefits fairer, we need to take urgent action on the mobility element of PIP in particular. According to Inclusion Scotland, 45 per cent of disabled people who were entitled to the higher mobility component of DLA lose that entitlement when they are reassessed for PIP. I ask the Scottish Government to look at what transitional support can be offered to those who are affected.

Older people who are reassessed cannot get support for their mobility needs through the attendance allowance as it does not contain a

mobility component. In the previous parliamentary session, Age Scotland said that it had been unable "to find any published official rationale"

for why that is the case. I would be grateful to hear the minister's comments on that.

Tomorrow is an important day. We can begin to build a fairer system of helping disabled people with the costs of their disability and reject the welfare reforms that are debasing our social security system.

The motion refers to co-producing a better future for disabled people with disabled people. That is exactly the right approach, and the experience panels are welcome. However, let us follow that through to its logical extent. For far too long, under successive Westminster Governments, disabled people have been asked their opinion on welfare changes but they have been ignored. We can build a fairer system only with the involvement of disabled people at all levels, and I warmly welcome the one in five campaign and Inclusion Scotland's access to elected office fund, which encourage disabled people to get involved in politics.

If the Scottish Government is willing, fully and genuinely, to listen to what disabled people have to say and build a fairer system based on that, it will have Scottish Green Party support.

16:11

George Adam (Paisley) (SNP): This is an extremely emotional debate. I am a great believer in getting emotional about a debate, but not in getting angry in the chamber. However, it is difficult in a debate such as this, when we hear the Tories defending the undefendable.

Sometimes, members can surprise us, but sometimes, as in the case of the Tories today, we can see them for what they are. They think that it is okay to attack the disabled, because disabled people are not part of their grand plan. Thank goodness that we have a Scottish Government that has the vision to include people who have disabilities in our society.

Presiding Officer, you will be thankful that today is not a sunny day. As we all know, the sun glares into the chamber so there would have been an incredible shine off Adam Tomkins's brass neck, given some of the things that he has said today.

I take the debate personally because various disabilities have affected members of my family. As many members are aware, my wife Stacey has multiple sclerosis. As such, she has mobility issues and her disabilities can sometimes be quite severe. There are 11,000 people living with MS in Scotland. The condition can fluctuate, so the PIP

assessment can be very difficult. It makes no difference whether someone who has MS is able to walk 50 yards or 100 yards, because two days later they could be totally fatigued.

Members might not be aware that my wee sister Jennifer had a brain haemorrhage when she was in her mid-20s, which left her with mobility problems and constant fatigue. In modern Scotland, where 20 per cent of the populace has a disability, that is not unusual.

I will talk first about what the Scottish Government is doing—I will come to what the Westminster Tory Government is doing later. This is indeed a tale of two Governments. One Government believes that those who have disabilities are valued members of our community, but the Westminster Government clearly does not. The Scottish Government has always said that it wants those in our communities who have disabilities to be able to add their talent, diversity and richness to society. I, for one, think that it is extremely important to maintain a strong focus on addressing the negative attitudes that some have towards disabled people and which contribute to the many inequalities that disabled people face.

I want to go through some of the disability delivery plan, which will be the Scottish Government's main vehicle to address those inequalities. The plan contains a commitment to deliver 120 disability internships across the public and third sectors during the current parliamentary session. Inclusion Scotland delivered the pilot programme in 2014-15, giving disabled men and women the opportunity to work in the Scottish Parliament.

I remember one woman who had MS and who worked for my colleague James Dornan. Although the programme was challenging for her and for him, it proved that such work is not impossible. That is great news for people who live with MS, most of whom are diagnosed in their 20s, which are key working and educational years. Seven internships were successfully completed and all the interns went on to positive destinations.

Something that is a wee bit closer to home for me—it has already been mentioned—is the Scottish Government's access to elected office fund. The local government elections a couple of weeks ago were the first proper test of the fund. The fund was created to ensure a level playing field between disabled and non-disabled candidates. It provides disabled candidates with the support needed to get to the stage of putting their name on the ballot paper and campaigning on that level playing field.

As the minister said, the fund, which is administered by Inclusion Scotland on behalf of the Scottish Government, enabled 39 disabled

candidates to take part in the local elections, and 15 of them were successful, spread over 12 different councils. I should declare an interest, as my wee sister Jennifer—or, as she likes to be called now, Councillor Adam-McGregor—was one of the successful candidates, joining the ranks of SNP councillors throughout Renfrewshire. Her success is down to her own hard work and her ability, but let us not forget the support of Inclusion Scotland, which was there for her all the way.

The SNP Government's vision for disabled people in Scotland is to treat them with dignity and respect, finding ways to level the playing field and promoting the belief that everyone has something to give and contribute to our society. That is in stark contrast to the Tory Government's ideals, as it continues to harass and pursue our disabled. The Tories' so-called welfare reforms are having a harmful effect on those living with disabilities. Policies that the Conservative Government has pursued—from abolishing the independent living fund and introducing the bedroom tax to the work capability assessment and changes to PIP—are harming the rights of disabled people.

About 800 Motability cars a week are being taken off disabled people as a result of Tory cruelty—800 cars a week. Those cars are vital for disabled people who are dealing with their personal disability and trying to create a better future for themselves by going to work. It is all right for the Tories to talk about work as the best way forward, but if they take away disabled people's transport, there is no way that they will be able to achieve that aim. So far, as the transfer from DLA to PIP continues, the Tories have ensured that 48,000 people have had their vehicles taken from them. It is ironic that that the transfer to PIP is taking away the independence of many disabled people.

Surely there must be a Tory on the Opposition benches who finds that difficult to live with. There must be one of them who wants to break ranks and state how disgusted they are with the UK Government's treatment of disabled people. I am happy to take an intervention from that brave Tory soul.

The Deputy Presiding Officer: You cannot, because you are in your last minute.

George Adam: That is unfortunate but none of them was getting up anyway, so it appears that we are dealing with the same old toxic Tories who believe that there is no such thing as society and would gladly sell their own grannies in pursuit of their goal.

I believe in our communities and in the people throughout Scotland who make up those communities. The type of Scotland that I want is one that gives not the select few but everyone an

opportunity. That is why I became involved in politics, and I intend to continue to subscribe to that vision of the future.

16:18

Annie Wells (Glasgow) (Con): I welcome the opportunity to participate in this debate on how we can help to build a fairer Scotland for people with disabilities. My party welcomes the Scottish Government's fairer Scotland action plan for disabled people and we support its objectives.

We want fairer working lives and higher incomes for disabled people. We want accessible public transport and accessible workplaces. We want to confront the stigma and discrimination, low expectations and prejudice that so often hold back people with disabilities in Scotland.

That means endorsing the social model of disability and recognising that it is not mental or physical health conditions but the barriers that society constructs around them which drive inequality between able-bodied and disabled people. Those barriers become apparent in education and training. Only 64 per cent of young people with a disability participate in further education, compared with 71 per cent of able-bodied youngsters.

Many of the buildings at Scotland's ancient universities were just not built with accessibility in mind. It is essential, if our universities are serious about widening access, that local authorities, the Scottish Government, and institutions work together to make campus a place that is truly accessible to all.

Although one in five of our fellow citizens lives with a disability, Scotland still has work to do in making modern apprenticeships accessible to all. Eight per cent of modern apprenticeships now go to disabled people, and although that represents progress, there is more to do. If the Government was serious about building an inclusive society for everyone, it would not have cut the numbers of additional support needs teachers and taken away that support.

Joan McAlpine (South Scotland) (SNP): I, too, am concerned about the cutting of additional support needs teachers. Can the member explain why the Tory councillors in Dumfries and Galloway voted in favour of swingeing cuts to additional support needs teachers in 2015?

Annie Wells: The member will find that local government budgets have been cut by the Scottish Government. People have to make choices, and those councillors had to make a choice because their budget was cut.

It is no surprise that disabled people and those with learning disabilities and mental health issues

can face particular and complex barriers to sustained employment, such as stigma and discrimination or a lack of confidence and skills. Ultimately, those result in the lower levels of employment that we are all too familiar with.

Jeane Freeman: Will the member take an intervention?

Annie Wells: I would like to make a bit of progress.

We have more people with disabilities in employment than ever before, with nearly 500,000 more since 2013 and 360,000 more than just two years ago. Despite that progress, the disability employment rate in Scotland of 42 per cent is now lower than it was when the SNP first came to power, and it is lower than the UK average. In 2007, the disability employment rate in Scotland was 45.2 per cent.

The Scottish Government's 2016 annual population survey shows substantial regional variation in disability employment rates across Scotland. In Shetland, the rate is 87.7 per cent, but in Glasgow it is a paltry 24.9 per cent. There are many barriers that prevent disabled people from finding work and progressing in employment. Those include negative attitudes from employers and recruitment agencies, inaccessible workplaces and inflexible working practices. Too many disabled people experience a fragmented system that does little to support their ambitions of employment.

The UK Government's vision, which was set out in its recent publication "Improving Lives: The Work, Health and Disability Green Paper", is to create a society in which everyone has a chance to fulfil their potential and where all that matters is someone's talents and how hard they are prepared to work.

Jeane Freeman: Can Ms Wells explain how that ambition in the green paper sits beside the cuts that have been imposed by the UK Government, such as those to ESA and Motability cars? How does it sit with a UK Government that, when its treatment of individuals with mental ill-health was ruled against, simply changed the rules rather than changing its behaviour?

Annie Wells: We spend almost £50 billion a year to support people with disabilities and health conditions. It will be the Scottish Government's turn to set the rules when it takes control of the powers.

The UK Government is determined to remove the long-standing injustices that prevent disabled people and people with long-term health conditions from getting work and that restrict their aspirations. To break down those barriers, it is essential that disabled people have equal access

to labour market opportunities and are given any support needed to advance. We need employers that deliver effective health and wellbeing practices. We must help employers to create a workforce that reflects society and we must ensure that they are equipped to take a long-term view on the skills and capability of their employees, managing a varied workforce to keep people in work, rather than reacting only when they lose employees. We must do more to effectively integrate the health, social care and welfare systems to support disabled people to move into and remain in sustainable employment. Most important, we must change cultures and mindsets across society, so that we focus on the strengths and capabilities of the disabled workforce.

Finally, I turn to the challenge of mental health. The Scottish Government has made some progress in the area by increasing investment for the provision of mental health treatment. However, if we are truly to achieve a step change in mental health treatment in Scotland, additional resources will be needed. The Scottish Government's mental health strategy represents a missed opportunity to change our approach to the issue for the better. One in three Scots annually is affected by mental illness. There is so much unfulfilled potential in our communities because of inadequate provision.

The Deputy Presiding Officer (Linda Fabiani): You must close, Ms Wells.

Annie Wells: Okay.

If disabled people are to achieve their ambitions and aspirations, we must work hard to ensure that their needs are supported by more active, integrated and individualised support. That will improve health and wellbeing, benefit our economy and help us to build a Scotland that is truly fairer and more equal for disabled people.

16:24

Joan McAlpine (South Scotland) (SNP): I put it on record that I am the legal guardian of a person who lacks capacity through severe disability.

Adam Tomkins and Jeremy Balfour said that the UK Government had a proud record on disabled people. I dispute that and I think that most of the country's charities for disabled people would do so too.

In the chamber last week, I raised the devastating effect that cuts to the provision of Motability vehicles have on individuals throughout the UK. Those changes to PIP were highlighted yesterday by Cathy in Abingdon, Oxfordshire, who confronted the Prime Minister on a rare occasion when Mrs May met the public. Cathy complained that the move from disability living allowance to

PIP had meant that she lost her allowance. That is all too typical. Figures from the DWP show that 27 per cent of people who transferred from DLA have been rejected for PIP since it was launched. We now also know that, when independent appeal tribunals assess those cases, 65 per cent are overturned because the original DWP decision was wrong.

The minister has announced that the new system that is being built in Scotland to replace those benefits will have no place for private companies such as Atos that conduct such assessments. That makes me enormously proud. It is yet another example of the contrast between how the SNP does things and how the Tories do things.

The charity Muscular Dystrophy UK found that between 800 and 900 people a week are losing their disability vehicles in the UK. Many affected individuals use those vehicles to get to work. Without the car, they cannot work. They can lose their jobs and, instead of being net contributors through their taxes, be forced to claim even more benefits, which is a cruel and false economy. If the cut to their mobility PIP is overturned on appeal, many months may have passed between the loss of the Motability car and the decision being overturned.

That is exactly what happened to a constituent of mine recently. The gentleman was employed and worked hard. He suffers from scoliosis and is an amputee, which means that he has a full artificial leg. He also has a brace attached to his back, which means that walking or standing for any period of time is excruciating for him. I will quote him. It is a pity that Jeremy Balfour is not in the chamber, because he may learn quite a bit from the quotation. My constituent said:

"If I had to use public transport I would need to walk a long way to work—so it is not practical as I would be in agony by the time I got there. Every day is different when you have an artificial leg like mine, you might have a good day where you get it on ok. But then on other days it can take a long time to get semi comfortable. Some days I have to force it on because I know I have to get to work, but at the weekends when I have problems like that then I wouldn't wear it. The weather has an impact on me too. If it is icy or snowing I would have a problem going out without a car. If it is really windy I struggle as the wind just catches the back of my leg and I struggle to stay upright."

The DWP removed his Motability car. A man in excruciating pain with an artificial leg, who struggled to stay upright in some weathers, was deemed not to need the higher rate of PIP mobility allowance. After six months, the gentleman won his case on appeal, but by then he had lost his car, which was his lifeline.

That case is not unusual. Another constituent—a lady this time—was threatened with the loss of her vehicle after losing the higher rate of PIP

mobility. She has osteoarthritis, lymphoedema and damaged vertebrae. Since she was first assessed for disability benefits a number of years ago, her condition has worsened and she has developed an additional illness—fibromyalgia. The doctor confirmed that. When a doctor confirms that a person's illness has got worse, what is the logic of the DWP ignoring that and claiming that she deserves less?

That lady lives in an isolated rural area and was at her wits end. She said to my staff:

"I stay out in the sticks, so if I get my car taken away I will be stuck."

Again, that flawed original decision was overturned on appeal, but not before huge additional anxiety had been inflicted on a very sick woman.

If I have time, Presiding Officer, I want to highlight one final, heartbreaking case that further illustrates the human impact of the Tory party's social security cuts.

A constituent wrote to me about his wife losing her PIP. They had to travel to a city in England for her assessment, which he described as being really stressful. The assessment was, of course, conducted by one of those private companies that will have no place in our Scottish system when we build it. The husband explained:

"No way could she manage to get on a bus. She has had Epilepsy from a child and over the last four years she gets no warning when a fit is coming on. If standing she just collapses. She has brittle bones now and as a result she has broken her hip, collar bone, her pelvis and three ribs. She has split her head open twice. In the midst of all this she has lost a great deal of her hearing. I had to give up work to look after her."

It beggars belief that assessors could claim that that lady does not deserve the full rate of the PIP mobility component or a Motability car. I would love to hear Jeremy Balfour explain why such a decision was made.

Under this Tory Government, such cases are happening right across the UK. I know that every member of this chamber will be able to tell similar heartbreaking stories—or should be able to do so—because people in these situations come into my constituency office every week. My question to the Tories is: why are you not moved by these stories from your own constituents?

16:31

Alex Cole-Hamilton (Edinburgh Western) (LD): I greatly appreciate the fact that the Scottish Government regularly uses its parliamentary time to bring us back to this important issue. I commend the motion and assure the Government of our support, and I also assure the Labour Party of our support for its amendment.

In the course of our nation's history, there have been several moments that have marked significant enhancement in the support that we offer to people with disabilities in our society, such as the creation of the national health service and the introduction of the Disability Discrimination Act 1995, and the promise that is shown through initiatives such as the introduction of self-directed support and, indeed, the delivery plan that we are, rightly, debating today.

However, the road to full equality is long and, although this Government and its predecessors are to be congratulated on those areas of progress, we do a disservice to the citizens we represent who are affected by disability if we assume that we have met in any significant way the challenge that is before us and, indeed, before them.

Debates such as today's offer us an important moment of reflection and an opportunity to reaffirm our understanding of all that we have to do to push ever nearer to the goal of realising that equality. As we have heard, tomorrow, new doors open in that effort, with the empowerment of this Parliament in areas of social security, and we would do well to encourage each other in the reach of our ambition in relation to the use of those powers.

We in this place should never by the sin of omission miss an opportunity to remove an existing barrier to the inclusion of our disabled citizens or by the sin of commission unintentionally erect a new barrier. Therefore, it is absolutely right—and it is a measure of the progress that has been achieved by this Parliament—that each statutory instrument or new law that comes before this place must be subject to an equality impact assessment that will reveal any unintended consequences.

It is right that we should take the necessary time to fit out our new social security system in the best, most empowering and humane way possible in order to meet the needs of the people we represent.

Whether a disability is congenital or is acquired in later life, it brings with it a range of barriers and problems that we can ameliorate through the powers that we possess. Disability comes in many forms and has a range of applications. It is not always visible and is not always immediately detectable. In fact, the detection and diagnosis of debilitating conditions can be one of the first barriers encountered by people with disabilities and their families. The fight—and it is a fight—even to get a diagnosis in the first place is often the initial struggle that disabled people and their families encounter. When the disability involves learning faculties in early life, that struggle is compounded by issues such as child and

adolescent mental health service waiting times, which are nothing short of outrageous. The process can take years and, without a diagnosis, the individual and their family are not entitled even to be assessed for further support, whether that involves benefits or social care provision.

It would be good if that were the end of their struggle, but many families—particularly those affected by learning disabilities—find that, once they finally get to the races in terms of diagnosis, they are met with yet another protracted delay in terms of the support that is available to them. The support that they are eventually offered can be a lottery. Indeed, market conditions for social care provision can make availability or quality of care and support highly variable from community to community, and that disparity is undermining the roll-out of self-directed support.

When I worked for the disability charity Aberlour, I advised Angus Council on the roll-out of self-directed support in its area. The 104 children with disability who required respite support were all served by the authority's own respite unit. I helped the council to conclude that, with so few service users and an existing, well-regarded unit, it could not hope to attract another provider to the area to offer an alternative facility, as the business case for such a venture just would not stack up. Therefore, although self-directed support offered the families of those children the promise of choice, the market realities on the ground meant that there was no choice.

The point is that well-intentioned policies, and legislation that is passed here and at Westminster, do not always meet the challenge that they were created to meet. The Disability Discrimination Act 1995, for example, has done wondrous things when it comes to compliance of the fabric and construction of new buildings, but that does not mean that we as legislators should imagine that we have somehow cracked the accessibility problem in our society.

Earlier this year, a hardy and dynamic constituent who uses a wheelchair as a result of an acquired brain injury came to see me with a report that she had prepared about the accessibility of some of the capital's busiest attractions. The results were shocking. Of the 66 public premises on Lothian Road and Bread Street alone, 80 per cent are completely inaccessible to wheelchair users because of stairs. There are only two disabled toilets in the whole of the Grassmarket, and one of those is virtually unusable. The report gives a glimpse of the full scale of just how physically inaccessible our society is to those with disabilities. It stands as a crucial reminder that we have barely scratched the surface in the execution of our duty to those who are impaired not just by the physical limitations of

their condition, but by the lack of political will to turn rhetoric in this chamber into meaningful action and material redesign in our communities.

Debates such as this afternoon's are important, so I again thank the Government for introducing it. I also thank colleagues for the broadly consensual tone in which it has been conducted. The eyes of hundreds of thousands of our fellow citizens look to the Parliament for hope and for change, and we owe it to them to stretch our ambition and our resolve in the reach of the social security system that we begin to construct from tomorrow and the barriers to access that we break down. We must help to foster in every child and adult who lives with a disability in our society an understanding that helps them to transcend any barrier that they might encounter as a result of their disability and which says to them of their disability, "Own this—it's part of you—but don't let it define you and never let it beat you."

16:37

Stuart McMillan (Greenock and Inverclyde)

(SNP): I wanted to speak in the debate for a variety of reasons. Before I explain them, I make members aware that I chair the Parliament's cross-party group on visual impairment, which will meet tonight at 6 pm in committee room 3. I am also a member of the cross-party group on disability, which met at lunch time.

Joan McAlpine told a moving story about one of her constituents, and she made the point that every MSP has similar examples. That made me think about a constituent who came to speak to me a few years ago. He had been refused particular benefits and he wanted to appeal the decision. When I questioned him to get further information, I was genuinely gobsmacked by the dramatic extent to which his life was going to change as a result of the loss of the benefits that he had hitherto received. He had a visual impairment, which was getting worse and making his life ever more challenging day to day. Despite that, he was told that he could still work in a job that involved a computer, even though he had never switched on a computer and was not PC literate—he did not use a computer day to day. He worked on building sites and had held a provisional driving licence for more than 20 years so that he could travel to work.

That person was told that he was no longer allowed to obtain particular benefits and that he should get a job working in information technology, with computers. However, that individual had no idea whatsoever of how to switch on a computer, never mind how to do anything else with that kit. I assisted him with his appeal, which was successful.

I could not understand how the welfare system could be so cruel as to take away someone's ability to live not a luxurious life but a life where they could go about their day-to-day business, while knowing full well that in a very short time they would be blind. What type of welfare system or society do we have when that kind of thing is allowed to happen on a daily basis?

There are more than 1 million disabled people in Scotland, who add talent and diversity to our society, but far too often they face barriers that prevent them from contributing fully. We have heard figures mentioned, but I thought that Jeremy Balfour made a shocking point—I am glad that he has come back into the chamber. He said that a low number of people appeal when rejected for PIP. I would argue—as I am sure many other members would—that people are not appealing probably because they are distraught, sickened and humiliated by having to go through the process in the first place and because they certainly do not want to go through that bad experience again.

Jeremy Balfour: Will the member take an intervention?

Stuart McMillan: I will let Mr Balfour speak in just two wee seconds.

It is probably because they went through such negative, bad experiences that people do not want to appeal.

Jeremy Balfour: The member has just made a fairly serious claim. Where is the evidence?

Stuart McMillan: I have listened to my constituents and I read messages in my inbox from people who contact me. I do not know what planet Mr Balfour is living on, but I represent my constituents and I will certainly do what I can to help them, particularly when it comes to welfare issues.

The UK Government's withdrawal of most of the current budget to help disabled and long-term unemployed people to find work leaves us with a wholly inadequate resource. The Conservatives have talked in the past about hugging a hoodie and the big society, but I do not know what type of big society we have, given that the UK Government has cut benefits hugely and given that a further £12 billion-worth of welfare budget cuts are coming. How will that help to bring about the big society that the Conservatives have talked about in recent times?

The United Nations report, which other members have commented on, stated that in the UK

"persons with disabilities continue to experience increasing hostility, aggressive behaviour and sometimes attacks to their personal integrity."

The report also stated that the UK Government's reforms have resulted in people

"experiencing increasing reliance on family and/or kinship carers, reduction in their social interaction, increased isolation and, in certain cases, institutionalization."

That is not the way forward for Scotland or the UK or for anybody who is disabled and who is seeking employment.

16:43

Alexander Stewart (Mid Scotland and Fife) (Con): I am delighted to take part in today's debate. Before becoming a member of the Scottish Parliament, I spent more than 18 years working closely with those who have disabilities and learning difficulties. I therefore have a good understanding of their needs and ambitions when it comes to housing, employment and transport. That involvement and experience was recognised when I was asked to open the making where we live better conference in February. There were more than 100 delegates, carers and supporters there, who all wanted to make a difference for those living with disability. They see that as a right, and it is up to each and every one of us in the chamber to ensure that their ambition becomes reality.

A recent survey by Mencap found that only one in three people with a learning disability lives independently and one in four lives in a care home. That is despite the fact that many people who have learning difficulties and disabilities would like to live independently and, with the right support, would be capable of doing so.

I have experience of ensuring that individuals who had lived in supported units for a large part of their adult lives got the opportunity to become tenants with supported care. I assure each and every member in the chamber today that that unlocked those people's potential in so many ways. From being independent tenants, they then got the opportunity to become employed part time, which transformed their lives. That gave them the hope and opportunities that many of us have and, as I said, it unlocked their potential.

That is why I support the crucial work that groups across my region have done to ensure that such individuals have the chance to progress. By working together, we can achieve so much more and ensure that every disabled person is afforded the same opportunity. The Scottish Government has its part to play in that.

I move on to employment. I echo much of what my colleague Adam Tomkins said in the chamber merely six months ago, in December 2016. One of the greatest stories of modern Conservative Britain is that we have more jobs in the British economy than ever before. In Great Britain as a

whole, more women and more disabled people are employed than ever before, and that should be recognised and welcomed. In December 2016, the figures were nearly 500,000 more than in 2013 and 360,000 more than two years earlier.

Ross Greer (West Scotland) (Green): The member said that we have more jobs. How beneficial does he believe it is to people with a disability that there has been an explosion in zero-hours contract work, precarious work and poverty wages?

Alexander Stewart: Flexibility gives individuals the opportunity to work, and I can tell the member that I have seen that flexibility. It gives people the chance to do something and take up the opportunities that are there, so I look forward to seeing more of that, potentially, for people who get the chance to work flexibly.

Stuart McMillan: Will the member take an intervention?

Alexander Stewart: I have taken one already; I would like to make progress.

In Scotland, the disability employment rate is not good enough, at 42 per cent. Many employers seem only to pay lip service to dealing with individuals with a disability. Scotland has to do better, as much more needs to be done to make education, training and support available to individuals with disabilities, to ensure that they can develop. More than half the young people who have a learning disability or autism disorder believe that they are not achieving their full potential. That is a worrying statistic.

The additional support needs advisory committee of the Scottish Secondary Teachers Association asked local authorities to give it an insight into what is happening, and its figures for teachers who were recorded as working with learning support and ASN show a decrease of 24 per cent in secondary and 31 per cent in primary between 2010 and 2016.

Ash Denham (Edinburgh Eastern) (SNP): Will the member give way?

Alexander Stewart: I want to make progress.

Between 2010 and 2016, the number of ASN auxiliary or care assistants and behaviour support staff decreased by 18 per cent. We must acknowledge that the number of classroom assistants increased over the same period, but the extent to which classroom assistants support pupils with additional support needs is unclear.

Some 62 per cent of class subject teachers have experienced stress or professional anxiety about not being able to meet the needs of pupils in their classroom who have learning difficulties or

disabilities. I also note that 60 per cent of young people with a learning disability feel lonely.

A lot requires to be done to ensure that we move forward. We must do all that we can to protect the vulnerable in our society at home, at school and in employment. I echo many of the comments that my fellow Conservative MSPs have made this afternoon. More support and more training are required to unlock people's potential, and that will break down the barriers. I urge the Scottish Government to tackle the issue urgently. I support the Conservative amendment.

16:49

Sandra White (Glasgow Kelvin) (SNP): I welcome members of the various disability groups who are in the gallery. I also welcome the BSL interpreters, who do a fantastic job. I will try to speak slowly, so that they are able to keep up with me.

I start with an unusual quotation from a speech that may come as a surprise to people. It will not come as a surprise to one person here, but it certainly came as a surprise to me. I will cite a small excerpt:

"We swear to oppose all forms of discrimination on the grounds of gender, ethnic origin, religion, place of birth, age, disability, sexuality or language.

We aim for an independent Scottish Republic in which people may live with dignity and with self-respect".

That was Adam Tomkins in 2004.

Let us move to last week's *Sunday Herald* magazine. We have learned that the two policy issues that convinced Mr Tomkins that he belonged to the Tory party were Iain Duncan Smith's welfare reforms and Michael Gove's education reforms. Now we all know. My goodness me, what a turn-up for the books, eh?

I wanted to make that known, so that we know what we are dealing with and what we are hearing from the Tories. Yes, I am angry—as we all are—but all I can do is shake my head and say that the contributions that have come from the Tory benches are shameful.

The Tories are keen to mention issues that prevent disabled people from getting into training and work: stigma, barriers and discrimination. I agree with that, and I think that we all agree that we need to break those down. However, the Tories here are not so keen to tell us the facts about Tory policies from Westminster, which they support. George Adam has called them the "toxic Tories". That is a good term for them, so I am going to call them the toxic Tories over here, with their mixed-up words.

They are not so keen to tell us—perhaps the previous speaker might learn from this—that the Tory Government’s work programme is failing thousands upon thousands of disabled and ill jobseekers. Even though the Tory party—we have heard this from Tory MSPs opposite, too—made a pledge to halve the disability unemployment gap, its policies are fundamentally failing to support those living with disability into appropriate work under the UK Government’s work programme.

Among the worst hit are the long-term sick and disabled people on employment and support allowance—ESA—who have been ruled fit for work. Statistics using claimants’ self-assessments of disability show that 33 per cent of people without a disability have received a job outcome on the work programme, compared with 17 per cent of disabled people, or about 110,000 people. Those figures come from the Department for Work and Pensions tabulation tool from January 2016.

Stuart McMillan: Will Sandra White take an intervention?

Sandra White: I will finish my point first. The UK Government is also cutting support for disabled people not just through changes to disability benefits, but by implementing £30-a-week cuts to the employment and support allowance work-related activity group—the ESA-WRAG.

Stuart McMillan: I am sure that Sandra White is as angry as I am that when the UK Government’s work choice and work programme schemes were being devolved to this Parliament, an 87 per cent cut was made to the budget with the transfer of power.

Sandra White: Stuart McMillan hits the nail on the head. People need to be reminded that there will be an 87 per cent cut from moneys from the UK Government—that must be taken into account.

However, we are not just talking about that 87 per cent cut. The ESA cuts announced in the 2015 summer budget were estimated to reduce welfare spending by £450 million at the UK level. The Tories are always reducing the costs, never helping the people—that is how I see it.

The cuts will see—Annie Wells and the minister mentioned this—new claimants to ESA from April 2017 who are in the work-related activity group receive £29 less a week, which is a reduction from £102 to £73. That is significant and, rightly, there are huge concerns about the significant impact on people’s lives that will result from the recent amendments made by the Social Security (Personal Independence Payment) (Amendment) Regulations 2017 by the UK Government. That is important, and it has been referred to by the minister.

The UK Government was challenged on how it was applying the narrow definitions of eligibility and two cases were taken to the upper tribunal in 2016. The Tory Government lost both those cases, and as a result—being tricky and fly—it amended the current PIP legislation through the Social Security (Personal Independence Payment) (Amendment) Regulations 2017, so that it was not required to pay out on the wider eligibility as interpreted by the courts. The Government was up against the interpretation by the courts, and it was found guilty, yet it changed the law to suit itself.

The Disability Benefits Consortium has said that about 160,000 recipients of PIP will be negatively affected by the changes. As Alison Johnstone said in her speech, PIP helps people with essential and unavoidable costs.

In closing, I ask Annie Wells, who raised the issue of mental health, to contact the black triangle campaign, which will tell her how many people have committed suicide as a result of those absolutely ridiculous cuts.

16:56

Clare Haughey (Rutherglen) (SNP): As we have heard, several of the UK Government’s austerity measures

“have disproportionately and adversely affected the rights of persons with disabilities”.

Also, before austerity was implemented, impact assessments by the UK Government

“expressly foresaw an adverse impact on persons with disabilities”,

and the UK Government’s actions have caused

“grave or systematic violations of the rights of persons with disabilities”.

I am not the one who is saying that, and it is not the SNP. Those are the exact words of the United Nations, which was investigating the UK Government.

The Conservative Government has actively targeted our fellow citizens with disabilities. Let us reflect on the fact that one in five of us in Scotland has a long-term health problem or disability. When we in this chamber attack the Westminster establishment for introducing and voting through measures that violate the rights of people with disabilities, it cannot be brushed off by the Tories as party politics. Let us be clear; it is an aggressive, pointed and systemic attack on those with disabilities. The Westminster establishment has colluded under the banner of austerity to wage an attack on the welfare state and to undermine the protections and mechanisms that most people have agreed upon in this island over the past 70 years. Under austerity, traditional values of

collectivism, of social security and of helping the less fortunate have been thrown out by the Tories.

In Scotland, where we in the SNP are the largest party, there is a very different picture. Instead of being criticised by the UN, we in this Parliament are actively working to deliver on the UN Convention on the Rights of Persons with Disabilities with our delivery plan for 2021. Westminster looks to attack and undermine those most in need, whereas here in Scotland, as others have said, we fully recognise not only their rights, but also the value and the contributions that people with disabilities can make to society.

As I have said before in this chamber, I accompanied a friend and constituent of mine to a PIP review meeting that she had unexpectedly been asked to attend in Glasgow. This lady has a degenerative condition, has multiple health problems, takes numerous medications and is under the care of a variety of consultants and medical professionals, all of whom had given detailed outlines of the care that she needed to receive and the conditions that she had. Despite having a PIP award in place, she was called in for reassessment nine months before her award period ended.

Everything about the experience was bordering on the hostile, with my constituent being treated in the manner that we have come to expect from a system run by the Tories and slammed by the UN. Since I last spoke about her in the chamber, her surprise reassessment has had an outcome—her PIP award has been reduced. Her award was reduced from December onwards, not from September, which is when her original award period was due to end. That has, in effect, cut her benefits nine months early, leaving her to face the anguish of having to appeal the decision. Why should people who have lengthy, well-documented health issues need to be reassessed? Once they have been through that stressful assessment process, why should they have to be assessed again? Above all, why should people with serious health conditions live in fear of a fair system? The answer is that the system is not fair—it is designed to be hostile.

Thankfully, the SNP Government has recently announced that, using new powers, we will ban private companies from running benefits assessments in Scotland. Profit has no place when it comes to life and death. Where the Tories have cut the independent living fund, scrapped various employability programmes and slashed entitlements, the Scottish Government has had to use its limited powers to fight a rearguard action against that attack on the most vulnerable in our society. We have had to use our budget to mitigate the bedroom tax, spending money to spare low-income people in Scotland from the

grim realities that are being experienced by those in England. Disabled adults live in four out of five households that have been spared the bedroom tax by the Scottish Government, showing that we in Scotland value those that the Tories would rather ignore.

As the Minister for Social Security, Jeane Freeman, says:

“Our goal is nothing less than for all disabled people to have choice and control, dignity and freedom to live the life they choose”.

We are committed to the co-production of services for those with disabilities. No one knows better the challenges and impediments that the system throws at those with disabilities than those people themselves. The Scottish Government wants to empower those with disabilities, not target them. “A Fairer Scotland for Disabled People” is a plan that details 93 concrete actions to improve the everyday lives of people with disabilities. That is 93 more actions than the UK Government has delivered for some of the most vulnerable people in the UK.

17:02

Pauline McNeill (Glasgow) (Lab): A million people in Scotland live with a disability. Because of that, they often live with prejudice, discrimination and attitudes that marginalise them and make their lives more difficult than they need to be. The delivery plan that we have been discussing this afternoon, although good, must not be simply a collection of pledges. The million people whom we are talking about are a diverse group with various different needs—they are individuals, first and foremost. Therefore, as other members have said, we must be careful and agree on the language that we use.

People with disabilities are underrepresented in virtually all areas of life, including in Parliament. I therefore welcome the 15 newly elected councillors who have some form of disability, whom the minister talked about. It is unfortunate that the fund to support candidates will not be available for the coming general election. The number of appointments of people with disabilities to public positions has fallen, according to Inclusion Scotland. The Scottish Government must act on that urgently and explain why it is the case.

Alex Rowley said that it is society that disables many people—people who could have much better quality of life if barriers were removed and attitudes transformed. Jeremy Balfour also said that we should review our language and attitudes. Other members have said that we must recognise that becoming disabled is something that could happen to any of us.

Scottish society needs to make serious and long-lasting inroads into changing attitudes and creating equality for the one million-plus disabled people. I have said it before in a previous debate and I mean it: this is the area of equalities in which Parliament has most to do in the current parliamentary session.

My question for us all, and for ministers in particular, is this: what are the big ideas for transformational change? I listened to what the minister said and welcome virtually all of it, but what is not coming across to me so far is what the big ideas are that will make the transformational change that we are all calling for. We have only four years of this session of Parliament left—a year has already gone.

I listened with interest to the BBC sport report on premier league football, which I did because the debate cannot be simply about the important issue of cutting benefits. Others have talked about very important areas in which we should make progress. I need hardly say that there are millions of football fans in Scotland; many people with disabilities are football fans, but they find it difficult to support their clubs, to which they are very loyal.

The Scottish disability rights campaigner Euan MacDonald has welcomed pressure being put on all the UK's football teams to improve facilities at stadiums, and has said that it is not enough just to provide wheelchair access, and that English clubs could learn a thing or two from Scottish teams. Still on the subject of football, Rangers striker Kenny Miller and the legendary John Brown officially opened Broxi's den, which is a facility that will allow supporters with complex learning difficulties and sensory challenges such as autism to enjoy matches. Such initiatives are what we should be considering in order to transform people's everyday lives.

In the midst of the 93 action points are some areas that merit focus as being big areas for transformation. Alex Cole-Hamilton mentioned one that I think should be a top issue, which is the availability of toilets. Many people with a very broad range of conditions would appreciate a bigger campaign on why the provision of accessible toilets is very important.

The subject of employment is fundamental; I will be interested to hear about the progress that will be made—I presume in the congress that the minister has talked about.

In a previous debate Miles Briggs mentioned transport, which should also be one of the areas for transformational change.

It is an affront that any party has presided over the grave and systematic violation of the rights of people with disabilities that was stated in the UN report. Rather than defend that, the UK

Government and Tory members here should address how it happened. Changes to housing benefit and the criteria for parts of PIP, along with a narrowing of social security law and the closure of the independent living fund, have all hindered disabled people's rights. The Secretary of State for Work and Pensions, Damian Green, rejected the findings of the UN report by arguing that the UK is recognised as a world leader. I have never said that the UK Government has not done good things for people with disabilities, but I am saying that failure to recognise both what is in that UN report and what people with disabilities are saying about welfare reform undermines the work that has been done.

Sandra White asked why it was considered fair that ESA claimants will have a cut of £29. Measures that are intended to cut public expenditure are affecting claimants with disabilities, who will have lower disposable income as a result, particularly because, as we now know—or should know—the cost of being disabled means that their everyday living expenses are higher.

I listened, with interest, to the exchanges between Jeremy Balfour and other members, in which Mr Balfour seemed to defend the cut to Motability entitlement. He said that that is a rule change, and that the only change is in respect of the distance that a person can walk. I suggest that the change must be bigger than that, because of the number of people who have been affected by it. He asked Alison Johnstone what type of test she would like. I am sure that she will not disagree with me: I would like a test that does not disenfranchise 50,000 people who previously relied on their Motability vehicles but now cannot do so. How can that system be defended? Either there is something wrong with the assessment or, perhaps, the Tories did that by mistake. I am not clear what Mr Balfour's argument for defending that is.

In closing, there are a few things that I ask of ministers. The Scottish Government should consider extending the employer recruitment incentive scheme, because it allows employers to retain disabled workers over a period, with a bonus of £4,000. However, it applies only to 16 to 29-year-olds.

There is a lot of work to be done in ensuring that there is the right assistance for people with disabilities at work. If we were to make that transformational change, we would all be proud of what Parliament has achieved.

17:10

Bill Bowman (North East Scotland) (Con): I commend the signers, who have been working

away all afternoon. I hope that we have not taxed them too much.

The matter that we are debating is of utmost importance to the one million-plus disabled people in Scotland. New welfare powers are coming to Scotland, and Parliament will have control over benefits and support services that can improve the quality of life of disabled people. There is a lot of work to be done to make “A Fairer Scotland for Disabled People”, but the Scottish Government seems to have used today’s debate purely as an attempt to attack the record of the UK Government. As Adam Tomkins said, the disabled people of Scotland deserve action, not rhetoric.

I will begin by trying to find areas on which there has been agreement. Jeane Freeman talked about the need to remove barriers, change attitudes, remove discrimination, cut down on abuse and intolerance, and focus on meaningful employment. She said that cross-party support and good will can make a difference.

Jeremy Balfour made a useful comment about how we use the words “disabled people”. Interestingly, he has been through a personal independence payment assessment and had a good experience.

We can all learn from the issue of hidden disabilities, to which Mairi Evans referred. I have suffered from that and know that we all sometimes assume that the way someone looks is the way they are.

Many members commented on PIP, which was introduced by the UK Government and which, it is claimed, has resulted in cuts that have affected the rights of disabled people and caused them harm. Jeremy Balfour was right to point out that PIP ensures that support goes to those with the greatest cost associated with their disability. Greatest support is going to the most vulnerable people, and more than a quarter of those on PIP receive the highest level of support. Support for the disabled amounts to 6 per cent of all UK Government spending. Since 2010, real-terms spending on disability has been at a record high.

Alison Johnstone: Inclusion Scotland tells us that the change from DLA to PIP will result in about £272 million per annum less by 2018. Is Bill Bowman aware of that?

Bill Bowman: I do not know Inclusion Scotland’s figures.

I return to something that Alex Rowley said. We agree that local delivery plans need to be measured and that a cornerstone will be accessible housing for disabled people, which is endangered by local budget cuts. However, Mr Rowley does not accept that spending under this UK Government is more than under the previous

Labour Government—“no change there”, to use his own phrase. In fact, there seemed to be quite a few occasions when one party quoted statistics and the other side said something else. It would be helpful if we could resolve that. Perhaps Adam Tomkins is a good source of the real facts.

Alex Cole-Hamilton said that the debate had reaffirmed his understanding. He also mentioned sin, so maybe it was more of a religious experience for him.

I am glad that there was mention of the accessibility of buildings to disabled people being fundamental. To move on to whatever rights people do or do not have, if they cannot get into a location, they will struggle.

Annie Wells was right to stress the Scottish Government’s dismal education record for the disabled. Yesterday, the Scottish Parliament’s Education and Skills Committee released a report that sets out the dreadful circumstances of children with additional support needs in our schools. The number of children who are classed as having additional support needs has risen by around 153 per cent since 2010, but the number of support teachers has fallen. Different numbers have been quoted for that; the number that I have is 25 per cent. That is a terrible state of affairs. Without the right numbers of staff, schools cannot provide an inclusive education for disabled pupils.

One teacher who was interviewed by the Education and Skills Committee said:

“We are in a desperate state and letting so many pupils down.

Inclusion will only work if we invest in training and professional staff.

Our young people deserve better.”

The Scottish Government is yet again failing to deliver on education. The Scottish National Party will blame anyone but itself for that, but members should be in no doubt: the fault lies with the Scottish Government and its dismal education record.

Ash Denham: A number of Conservative members have said that they are proud of their record in supporting the disabled people of our country. Will Bill Bowman comment on that in summing up? I do not understand how they could be proud, because the recent UN inquiry found credible evidence that the UK Government’s treatment of disabled people has led to grave violations of their human rights. It seems to me that no one could be proud of Conservative policy in this case, as it violates people’s human rights.

Bill Bowman: I think that £50 million more has been spent, and the UK Government has robustly rejected that report.

The challenges that people with disabilities face are very real, serious and many. There is always more that can be done. Ambition is vital but, if progress is to be made, urgency is the key. In the foreword to the Scottish Government's "A Fairer Scotland for Disabled People" action plan, the chair of the Scottish independent living coalition, Dr Jim Elder-Woodward, made his feelings on urgency very clear. He stressed that the Scottish Government should never forget the lesson of Gandhi, who wrote that

"The future depends on what we do in the present."

At present, the Scottish Government is showing a lack of urgency. I cannot stress enough that it has the powers that it needs to make the changes that it wants. The opportunity exists to press ahead and bring about that change. The Scottish Government should grab that opportunity with both hands. Urgent action is required to improve the provision of additional support teaching, for example.

I urge members to support Adam Tomkins's amendment.

17:18

The Cabinet Secretary for Communities, Social Security and Equalities (Angela Constance): I am delighted to close the debate on the Government's behalf. It is encouraging that most members have welcomed the opportunity to participate in the debate, but it is clear that the Tories would rather not have had it, given the tone and tenor of their contributions, which have been somewhat grudging and curmudgeonly. However, perhaps that is not surprising if we consider their record and actions, which have been crystallised by the Equality and Human Rights Commission's report. Its verdict was that the UK Government's welfare reforms and austerity agenda have had a "disproportionate, cumulative impact"—a crushing impact—on people who live with disabilities in this country. It described the UK Government's actions and policies in that regard as "a badge of shame".

In contrast, the Scottish Government seeks debate and scrutiny, because they are essential if we are to achieve transformational change. We are six months into the new disability delivery plan, and we have proactively come to the chamber with an update to keep Parliament informed in its endeavour to scrutinise and to share and debate ideas.

The Minister for Social Security focused primarily, but not exclusively, on employment, the employment gap, modern apprenticeships, the congress in December, the access to election fund and the marketing campaign to persuade more employers, large and small, of the benefits of diversity to their business. If businesses employ

people with disabilities, that is not just the right thing to do but the smart thing to do for the businesses and for our economy.

Alex Rowley: I agree that that is the smart thing to do. I highlighted what the delivery plan says on housing. Will the cabinet secretary look at bringing to Parliament in the near future a report that sets out how each local authority in Scotland plans to meet the specific commitment on housing?

Angela Constance: I was intending to come on to housing. The Minister for Local Government and Housing has been reviewing the strategic housing investment plans, which must be based on local housing needs. Alex Rowley was right to say in his opening remarks that the issue is not just the number of houses but ensuring that the right types of houses are in the right places for individuals and communities. I will ask the housing minister to take that suggestion away, work collaboratively with our 32 local authorities and report back to Parliament in due course.

We discuss housing needs with local authorities all the time. I have visited projects—I am somewhat disappointed that Adam Tomkins does not read all my press releases—and did so most recently in my area of West Lothian, where there is cutting-edge housing that is designed specifically for people with disabilities.

Adam Tomkins: Will the cabinet secretary take an intervention on that point?

Angela Constance: No—perhaps I will give way later. I want to move on to a point that Pauline McNeill raised. Adam Tomkins will get his chance—maybe.

Pauline McNeill asked where the big idea is in our disability delivery plan. I stress that this is not about soundbites. We have 93 actions in the plan, which recognises the need for comprehensive, systematic and sustained action over the piece and for an enduring commitment in all aspects of Government—for joined-up government in every sense of the term. We must demonstrate that our commitment is enduring and that we are in this for the long haul until we achieve transformational change.

I highlight that the disability delivery plan belongs not to me or Jeane Freeman but to the people who co-produced it. That is an important point. We are determined to demonstrate that our words will be underpinned by deeds.

Pauline McNeill: I clarify that I was in no way suggesting that the 93 action points are simply rhetoric. I was making the point that a focus on something big is sometimes helpful, especially given that four years is not really a long time. If the focus was on employability, for example, the Government could point to transformational

change on that, which would lead on to other areas.

Angela Constance: With disabled people, we will prioritise the work. That takes me on to a point that another Labour member raised, which was about the need for milestones in the disability delivery plan. We will work with the disability representative organisations on that, and they will set the measurements by which the Government will be held to account by Parliament and by wider civic society.

There were comments about the need for benefit take-up campaigns. We have completed phase 1 of our general benefit take-up campaign, and we are moving on to a more focused and targeted campaign. We will take forward the good suggestion about having a round-table event with local authorities.

Given that the number of public appointments of people who have disabilities is declining, we will extend the access to election fund to other areas of public life.

Jeremy Balfour did something that is quite uncharacteristic for him when he belittled the debate about Motability and the personal testimony of many people who have had their Motability car removed from them. The purpose of our endeavours is to ensure that, as we move forward with our new powers and as the Motability scheme is adapted to the Scottish context, we get the right information from the right person at the right time. That might well be from doctors and other healthcare professionals, or it could be from other professionals. The personal self-assessment is important. In our endeavours to build a social security system and deliver it from the ground up, we need to operate in the spirit of co-production, through our experience panels, and we need to take cognisance of the work of the disability and carers benefits expert advisory group.

Jeremy Balfour: Does the cabinet secretary agree that, whatever scheme is devised, some people will get cars and some will not? There will always be disappointed people who do not get a car, or is the cabinet secretary going to give everybody a car?

Angela Constance: That is exactly what I was referring to. It is a matter of regret that someone who has made some really good contributions in the chamber has repeated his mistake of belittling the whole debate.

Jeremy Balfour: Answer the question.

Angela Constance: I will answer the question. Jeremy Balfour asks, "Will it be 50 yards or 100 yards?" and "Are we going to give everybody a Motability car?" I have already answered the question, as the Minister for Social Security

answered the question. We will go through the criteria and the process hand in glove with our experience panels and with the expert advice of the advisory group.

What we will not be doing is demonstrated in the experience of a lady from West Lothian called Anne Meikle. She has chronic obstructive pulmonary disease and arthritis. She has had a mini stroke and is weakened down one side of her body. She is 68, is partially blind and has had operations on both knees. She has had radiotherapy treatment for cancer that makes her dizzy and prone to collapsing. She cannot go shopping in the supermarket without the help of a wheelchair. After 10 years, she has had her Motability car taken away from her. It would be much better if Tory members just hung their heads in shame and condemned that sort of action.

If members read the newspaper article about Anne Meikle, they will see more of what we will not be doing. We will not ask a 68-year-old woman to stand up and balance on one leg and go through a demeaning and pointless interview for 40 minutes. We will take no lessons from the Tories.

As is usual, we have heard more nonsense from the Tories about education. The fact is that the number of classroom assistants has increased by 15 per cent and, crucially, the overall number of teachers and support staff whose job it is to specialise in supporting children who have additional support needs has risen slightly. The figure of 15,888 teachers and support staff has remained relatively stable since 2008.

We must recognise and certainly do not demur from the fact that the majority of children who have additional support needs are educated in mainstream education. It is the job of all teachers and everyone who is employed in the education system to support those children. An inclusive education system is the basis of an inclusive society.

We must recognise the achievements of children who have additional support needs. The percentage of such school leavers who are going to positive destinations, such as work, training or further education, has improved from 71 to 85 per cent. The figures need to improve further so that those children are on a par with their peers, but we must recognise that our children are now better qualified than they have ever been. More young people are going to positive destinations and fewer are leaving with no or lower-level qualifications.

Unlike the Tories, we will not deny the difficulties or dismiss the critiques; we will face up to the reality of the lived experience. As the Minister for Social Security demonstrated, there is an employment gap between disabled people and

non-disabled people, and that gap is bigger in Scotland than it is in England or the UK as a whole, although it is smaller than the gap in north-east England and smaller than the gap in Northern Ireland. I am very interested in the work of Professor Colin Lindsay, who attributes the clustering of ESA claimants around west central Scotland to the job losses of the 1980s and 1990s, which were part of the deindustrialisation process that the Tories presided over.

In contrast to our approach in Scotland, the UK Government has dismissed and belittled the damning verdict from the United Nations Committee on the Rights of Persons with Disabilities, which had a specific inquiry on the impact of welfare reform. The inquiry concluded that there was reliable and credible evidence of “grave or systematic violations” of the rights of people with disabilities. The UK Government’s response was that welfare is not the only way to help people who are living with disabilities. That is true, but it is not an excuse to strip welfare support from disabled people across the UK.

When the UK Government was found wanting by the courts in relation to PIP rules, it did not change its behaviour; it changed the rules—it moved the goalposts. It is writing out people who need support to manage their therapy and it is writing out people who cannot follow a journey route because of psychological distress. That is somewhat ironic, given that this is learning disability week and, only a few weeks ago, it was mental health awareness week.

When it comes to the Tory rhetoric on supporting people with disabilities into work, I do not know whether we should laugh or grieve, because 800 disabled people lose their mobility cars every week across the UK. How on earth does that help people into work? The Tories have cut £30 a week from ESA work-related activity group payments. How on earth does that help people into work? They have abolished the independent living fund, which we reintroduced. How does abolishing that help people to live independently?

Then there is the bedroom tax—we have seen what has happened south of the border with that. It has a disproportionate impact on people with disabilities. We have seen rent arrears and evictions increase. According to the UN, the bedroom tax

“curtailed the right of persons with disabilities to choose a place of residence in accordance with article 19 of the Convention”.

The Presiding Officer (Ken Macintosh): Cabinet secretary, can you please wind up?

Angela Constance: In contrast, the Scottish Government is spending £47 million to assist

70,000 households, 80 per cent of which include someone with a disability.

None of the Tory measures is fair and none of them is effective; they are nasty and toxic. However, the Tories still say that the measures make them proud.

The Presiding Officer: Cabinet secretary, please conclude.

Angela Constance: I know that disabled people and their families often have to fight for everything that should be theirs by right. That is exactly what this Government is aiming to change with our disability delivery plan.

I end my remarks where the Minister for Social Security started and I thank all the disabled people and disabled people’s organisations who have worked so hard to produce the disability delivery plan, which we will implement and put into action.

Decision Time

17:33

The Presiding Officer (Ken Macintosh): There are three questions to be put as a result of today's business. I remind members that if the amendment in the name of Adam Tomkins is agreed to, the amendment in the name of Alex Rowley will fall.

The first question is, that amendment S5M-05594.2, in the name of Adam Tomkins, which seeks to amend motion S5M-05594, in the name of Jeane Freeman, on a fairer Scotland for disabled people, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)

Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 25, Against 74, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-05594.1, in the name of Alex Rowley, which seeks to amend motion S5M-05594.1, in the name of Jeane Freeman, on a fairer Scotland for disabled people, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 74, Against 25, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The final question is, that motion S5M-05594, in the name of Jeane Freeman, on a fairer Scotland for disabled people, as amended, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beamish, Claudia (South Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Evans, Mairi (Angus North and Mearns) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 Finnie, John (Highlands and Islands) (Green)

FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Derek (Renfrewshire North and West) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Neil, Alex (Airdrie and Shotts) (SNP)
 Paterson, Gil (Clydebank and Milngavie) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Michael (Argyll and Bute) (SNP)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, Tavish (Shetland Islands) (LD)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 Wheelhouse, Paul (South Scotland) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Bowman, Bill (North East Scotland) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Cameron, Donald (Highlands and Islands) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Peter (North East Scotland) (Con)
 Corry, Maurice (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Greene, Jamie (West Scotland) (Con)
 Harris, Alison (Central Scotland) (Con)

Kerr, Liam (North East Scotland) (Con)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Scott, John (Ayr) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 74, Against 25, Abstentions 0.

Motion, as amended, agreed to,

That the Parliament recognises the valuable contribution that disabled people make to Scottish society and Scotland as a whole; acknowledges that transformational change is needed in order for disabled people to realise their full potential; agrees that this can be achieved by working with disabled people and their organisations and therefore supports the co-production approach and actions set out in *A Fairer Scotland for Disabled People: Our Delivery Plan to 2021 for the UN Convention on the Rights of Persons with Disabilities*; recognises the Scottish Government's commitment to implementing the UN Convention on the Rights of Persons with Disabilities so that disabled people in Scotland can exercise all of their human rights; notes the UN Committee on the Rights of Persons with Disabilities' report in 2016, which found evidence of grave and systematic violations of disabled people's rights by the UK Government's welfare reforms; is particularly concerned at the Equalities and Human Rights Commission's findings that these welfare reforms imposed by the Conservative administration have resulted in a 'particularly disproportionate, cumulative impact on the rights to independent living and an adequate standard of living for disabled people', and condemns these cuts, which have caused major harm to the rights of disabled people

Outdoor Education

The Deputy Presiding Officer (Christine Grahame): The next item of business is a members' business debate on motion S5M-05008, in the name of Brian Whittle, on heritage and environmental conservation charities' support for outdoor learning.

Brian Whittle (South Scotland) (Con) *rose—*

The Deputy Presiding Officer: I know that you are keen, but you can stay seated just now. You are not on the starting blocks now. [*Laughter.*]

The debate will be concluded without any question being put. I ask members who wish to speak in the debate to press their request-to-speak button. I now call Brian Whittle to open the debate.

Motion debated,

That the Parliament acknowledges the work of various national conservation charities, including RSPB Scotland and the National Trust for Scotland, in the provision and promotion of outdoor education; believes that outdoor education should be seen as an important component of the curriculum, with meaningful benefits to both pupils' learning and their health; considers that sites such as Culzean Castle in South Ayrshire, which is run by the National Trust for Scotland, the RSPB's Mersehead Reserve in Dumfries and Galloway, and the Dumfries House Estate in East Ayrshire endeavour to work with local schools to arrange visits to their sites, along with various educational activities; understands that many organisations have seen a marked decline in the number of pupils participating in recent years; believes that, while visits are often provided at little or no direct cost to schools, the cost of transport has become prohibitive as school budgets have been squeezed; notes the calls on schools across Scotland to consider making use of schools attainment funding to support greater use of outdoor education, and thanks RSPB Scotland, the National Trust for Scotland and other similar organisations for their commitment to supporting outdoor learning.

17:38

Brian Whittle (South Scotland) (Con): Thank you, Presiding Officer. I am grateful for the opportunity to speak once again on one of my favourite topics: the importance of outdoor learning. It takes many forms, from school trips to the great outdoors to developing vegetable patches in school grounds to coaching and participating in sports. There are many other examples but, in the short time that I have, I will pick just a few.

I happen to be the Marine Conservation Society's parliamentary champion of the leatherback turtle, whose migratory path takes it from warmer climes to our shores. When I chatted to people from the Marine Conservation Society about that, I pointed out that that is actually geography. The turtles eat jellyfish and mistake

plastic bags for food, which has been causing real problems in their population, although the advent of charging for carrier bags has drastically reduced the bags' use. We can measure the impact on the leatherback turtle population by going to the shore and counting jellyfish or discarded plastic bags, which of course is numeracy. We can then go back to the classroom and plot that information on a graph, which is maths. That is on top of ecology and marine biology.

A similar story happens with the RSPB: the migration of birds is geography; the number of birds is numeracy; and the painting of the birds and the landscape is art as well as nature.

I had the pleasure today of meeting the scouts, who are great exponents of outdoor learning. The organisation is adapting to schools' needs by holding beavers groups after school, at 3 pm, in areas where people find it challenging to get to a 6.30 pm meeting. Pupils are not expected to buy kit because that would be a barrier to participation; sweatshirts are now handed out to all pupils and collected at the end of the lesson.

The scouts even take members out on field trips to experience the great wilds of Scotland—if necessary, for free. They train the trainers, too. Young people learn skills such as planning, budgeting, leadership, team development, resilience, confidence and managing difficult situations. To me, that sounds much like middle management, and people pay a fortune to attain those skills.

In partnership with the Scottish Association for Mental Health, the scouts have designed a programme specifically to address the issue of young people who develop poor mental health. Members will not be surprised to hear that young people who have attended the scouts are 15 per cent less likely to suffer poor mental health in adulthood—and the cost of four years of scouting is only £550.

Dumfries house has developed classrooms for interactive lessons in subjects such as engineering. It gives children space in the gardens so that they can plant and grow their own produce, and then they learn to cook it.

I must give sport a mention. Sport teaches discipline, resilience, goal setting and confidence. We must not forget the constant learning that the coach does. Coaches learn short, medium and long-term planning skills. They are part coach, part parent and part psychologist. They not only deal with triumph and failure but help others deal with the same—and come back for more. They also get to sound much more intelligent than they look by learning to say things such as proprioceptive neuromuscular facilitation—our British Sign Language interpreter dealt with that fantastically.

I will share some of my outdoor learning experiences. Many years ago, I went on a weekend away to Glaisnock house to study O-level geology. We studied the Lugar sill, igneous intrusions, sedimentary rock layers in the Lugar mine, limestone pavements, clints and grykes—members should look them up on Google. During a discussion about fossils, the lecturer asked us what the first living thing on earth was. A student put their hand up and confidently declared that it was a brontosaurus. Every time I think about that, I picture a primordial earth with all the ingredients for life just waiting to be energised and then, all of a sudden—pouf!—a brontosaurus. That makes me laugh out loud every time.

The Deputy Presiding Officer: Excuse me—I do not know how the BSL interpreter dealt with that bit.

Brian Whittle: I know. I liked that, so I will do it again—pouf!

Because of the way my mind works, I often wondered who that brontosaurus talked to and what it ate.

I also remember some of us managing to lift a sleeping friend on his mattress out of our dormitory in the middle of the night and sliding him under a teacher's bed. Now, that is a skill. We scuttled back to our dormitory to await the fallout. Some time later, amid shouting and screaming, our friend reappeared rather wide eyed and mad, with teachers in tow. We had to wash the minibus inside and out as punishment—but it was totally worth it.

Presiding Officer, I know that you are thinking that that was a bit of a strangled route to educational benefit, but the point is that that was a shared experience that I remember. Every time that I meet up with a friend from back then, it always comes up. We learned what we were supposed to learn in a real, live environment, but we also learned about interaction and camaraderie and made memories that will last a lifetime.

I do not necessarily advocate that children and young people should follow our lead, given some of our behaviour. However, they should get the opportunity to access learning in a variety of ways and create their own great memories of their schooldays. Changing venue can change people's thought processes. Not every pupil is at their best learning in the classroom. If we expand the horizons of learning, bring learning to life and connect with real environments, new opportunities open up for pupils' futures. If we offer only a narrow educational pathway, we will cater only for those for whom that pathway works. As Albert Einstein famously said: "Everyone is a genius. But if you judge a fish on its ability to climb a tree, it will live its whole life thinking it is stupid."

Elements of education and personal development—such as simple interaction, resilience, confidence, team development, focus, attention and problem solving—are crucial in the classroom, but they are far better learned outside the classroom.

If we are to properly tackle health inequality and the attainment gap, I strongly advocate ensuring that inequality in access to outdoor experiential learning is also tackled. Culzean country park, where history continues to be uncovered, has told me that the number of school pupils visiting the park has recently dropped from 30,000 to 11,000. The cause of that drop could be as simple as schools not being able to afford coach hire. Perhaps there is a suggestion there of a practical way in which the attainment fund can be used, especially if schools collaborate with one another. East Ayrshire Council has ensured that schools collaborate, and a proportion of the attainment fund is used to train trainers to deliver outdoor learning initiatives, so that sort of thing can be done.

I recognise that the Government has specifically given attainment fund money directly to headteachers, through the local authority conduit, to use as they see fit in addressing the attainment gap. It would therefore be churlish of me to suggest that the Government should become more prescriptive with regard to how the money is used. However, perhaps highlighting innovative ways of using the attainment fund or of effectively sharing good practice could inform headteachers of alternative ways in which they could decide to spend their school's money. My concern is that, like sporting activity, outdoor experiential learning is becoming more and more a personal learning and development tool for those who have, at the exclusion of those who have not. The attainment fund is perhaps one way in which we can address that problem. Let us face it, all our children and young people deserve the opportunity to have their own brontosaurus story.

17:46

John Scott (Ayr) (Con): I welcome this debate on the importance of outdoor education in the national curriculum and congratulate Brian Whittle on securing it, although it is disappointing to note that no Labour members are available to take part.

There is a world beyond the classroom, and outdoor learning is the gateway to that world. As you will know, Presiding Officer, taking the class outside can only be rewarding, because a child's sense of discovery and curiosity is awakened by the natural world. Outside the classroom, children have a chance to guide their own learning and develop problem-solving skills in ways that are not possible in the confines of a school building. A

sense of duty and responsibility to the planet is nurtured as children become more aware of the environment and sustainability. Learning outdoors also helps to improve health and wellbeing—a recent National Trust survey found that 80 per cent of the happiest people in the UK have a strong connection to the natural world. Therefore, if schools can foster that strong connection at a young age, so much the better.

My childhood on a remote hill farm environment on the moors and bogs between Barrhill and New Luce certainly fostered resilience. Being constantly encouraged to get out from under my mother's feet at the age of nine or 10, and sometimes being a mile or two from home, in total isolation and occasionally in self-inflicted potentially dangerous situations, certainly developed in me a sense of danger, an awareness of risk and the ability to be sufficiently resourceful to deal with risk in the countryside.

It is disappointing to learn that opportunities for outdoor education are being stifled by the costs of transport and the squeezing of school budgets. That is especially concerning given that National Trust for Scotland sites such as Culzean castle and the RSPB's Mersehead reserve offer such stimulating educational programmes at little or no direct cost. For example, in East Ayrshire, Dumfries house offers outdoor learning courses that support horticulture in the classroom and help with the development of a sustainable school garden. In the Pierburg building and Kauffman education gardens, schoolchildren are introduced to organic gardening, food production and how fresh produce links with a healthy diet. Given the invaluable programmes that are on offer across the country, all schools should be encouraged to use attainment funding to support outdoor education.

There is a solid case for making that happen, as there are well-defined links between access to outdoor education and improved attainment. The John Muir award is a very good example of that phenomenon. Four challenges lie at the heart of the award programme: schoolchildren are encouraged to discover a wild place; they then explore that wild place; they take actions to conserve that wild place; and, finally, they share their experiences of that wild place.

The John Muir award is delivered through more than 600 partner organisations, and more than 15,000 awards are achieved each year in Scotland. In a survey of organisations that deliver the programme, 73 per cent agreed that

“the John Muir Award helps the people we work with improve attainment.”

The survey also found that the award led to improvement in pupils' self-motivation, self-confidence, self-esteem and sense of purpose.

The evidence is clear. Outdoor learning stimulates a child's personal development and helps to improve attainment. As the great Scottish conservationist John Muir once wrote:

“In every walk with nature one receives far more than he seeks.”

We must do everything in our power to broaden the horizons of schoolchildren in Scotland. Therefore, I have pleasure in supporting Brian Whittle's motion.

The Deputy Presiding Officer: I call Ross Greer, to be followed by Richard Lochhead.

17:50

Ross Greer (West Scotland) (Green): Thank you very much, Presiding Officer. It is almost a novelty, as a Green, to be selected this early in a debate.

The Deputy Presiding Officer: I can drop you down the list if you wish.

Ross Greer: No—I am extremely grateful.

The Deputy Presiding Officer: Good.

Ross Greer: My early selection is perhaps a reflection of how few members are in the chamber, as has been mentioned, which is unfortunate.

For most people, our lifestyles have become too sedentary. We spend too much time indoors, sitting down. Members of this Parliament will be familiar with that—although with one election following another this year, many people in politics are getting much more exercise than they would otherwise have chosen to get. Too often, that behaviour sets in at an early age. Children sit in school all day, they sit in front of the telly and they play inside. Technology makes it easier to experience the outside world without leaving the indoor one, and that is not really experience at all.

The importance of outdoor learning cannot be overestimated. Being outdoors and appreciating the natural environment is central to childhood development. Through outdoor learning, children learn to engage with their natural environment; they also learn about their heritage and improve their health. It involves discovering Scotland's environment, our history and our culture. Right on our doorstep, we have Holyrood park, with its crags, its extinct volcano, the ruined chapel and its lochs. Historic Environment Scotland plays a key role in taking school classes to learn about the geography and the history of land use here, and conservation efforts.

In my region, there are many brilliant examples. As highlights, I suggest Loch Lomond and the Trossachs national park and the brilliant RSPB reserve at Lochwinnoch, both of which have excellent education and outreach programmes that I have been able to experience at first hand. At Lochwinnoch, I was able to join staff and children in lighting a fire, building their own playground from fallen trees and spotting a variety of birds, insects and ground animals.

We must ensure that all children have such opportunities, and that requires taking a robust but realistic approach to risk. With proper supervision and instruction, it is fantastically valuable for children to set a fire, to use a knife and to take part in a range of activities that, too often, we would consider too dangerous or not age appropriate. Health and safety is essential, but that does not mean that we should restrict children's ability to get to grips with the world around them. There is no substitute for that direct experience and all the benefits that it brings.

In Scotland, we are extraordinarily lucky to have such a beautiful natural environment and such a rich cultural heritage, which, as well as being available to those in more rural areas, are accessible from many of our towns and cities—although they would, of course, be more accessible if people had cheaper and more accessible public transport to get them there.

Through outdoor learning, children gain a better understanding of the natural environment that we live in and the importance of protecting it from human overconsumption, pollution and degradation. They learn to value and respect its intrinsic worth, rather than the financial worth that we are encouraged to assign to everything in our lives. However, outdoor learning not only allows people to gain a better understanding of Scotland's natural environment and our heritage, but brings with it a host of health benefits, as it encourages children to develop more active and healthy lifestyles. Research has shown that outdoor learning is beneficial to mental health, in particular. We have heard in other debates about the problems that there are with child mental health in Scotland; children face long waits for services and some are not seen at all. Although I would not for a moment suggest that outdoor learning is in any way a substitute for proper mental health services, it is clear that we must adopt a holistic approach to improving mental health in Scotland, and that includes outdoor learning—the evidence for that is quite clear.

Despite the long history of outdoor learning in Scotland, there has been a decline in children participating in it. Curriculum for excellence emphasises it, but it is not being delivered consistently. It is often charities that deliver it. Too

many local authorities have withdrawn from directly supporting it because they are under serious budget pressure, but with the support of charitable bodies and existing public environment agencies, the cost of supporting outdoor learning is not prohibitive. I hope that the Scottish Government and the new administrations in councils across the country will take that into consideration and will look at how they can support outdoor learning for every child in Scotland.

17:54

Richard Lochhead (Moray) (SNP): I am pleased to be able to support Brian Whittle's motion on the heritage and environmental conservation charities' contribution to outdoor learning in Scotland. I wanted to speak in the debate because it is about an issue that is close to my heart—especially as a former environment secretary. In that role, I came across many fantastic projects the length and breadth of Scotland, through which children were being introduced to Scotland's amazing countryside and natural environment. Like Ross Greer, I want to ensure that central Government, as well as local government, non-governmental organisations, charities and everyone else who has a role to play, gets behind the massive potential of outdoor learning for Scotland's children and future generations.

Brian Whittle started his speech by speaking of marine wildlife and the need to highlight to our younger people some of the issues that face it. That is something that I also support, especially as I am a newly appointed species champion for the minke whale. That is now on the record. I also want to use this opportunity to say that a week or two ago I had the privilege of speaking at the launch event for the visit to Scottish waters of the Greenpeace vessel *Beluga II*, which is going round Scotland's coasts highlighting the blight to our natural environment that is caused by ocean plastics. That is becoming an increasingly serious issue, which our children in school projects and young people of all ages are taking a much closer interest in, as we parliamentarians should.

Recently I had discussions with academics who are looking very closely at some of the issues that we are discussing—in particular, Professor Pete Higgins, who is professor of outdoor and environmental education at the Moray house school of education at the University of Edinburgh, and his colleague Dr Beth Christie. For a number of years, they have not only served on ministerial working groups, but have been doing research into the benefits of outdoor education, particularly for our children. One of their recent literature reviews was called "The impact of outdoor learning

experiences on attitudes to sustainability: a review of literature”, which picks up themes that members have made in the debate in that it states that the more outdoor education our children experience, the more they connect to our environment and environmental issues. Beth Christie said in the review that

“a central theme throughout many aspects of the literature has been the need to develop an empathy and ethic of care towards the environment. This is a crucial point as attitude and ultimately behaviour change stems from a connection to a place; in other words people will make the effort to love and care for something that they are positively connected to.”

That is one benefit of outdoor education: connecting young people with sustainability and the need to protect Scotland’s environments.

The other paper that I want to quote briefly, which relates to what John Scott spoke about, is called “The impact of outdoor learning experiences on attainment and behaviour in schools: A brief review of literature.” It, too, has some useful comments that I commend to the minister, and I hope that he will have a chance to look at it. The paper states that the “key finding” of the review is that with regard to

“increased attainment in terms of specific subject areas such as maths, English, reading, science and social studies, greater evidence exists to suggest that outdoor learning affords an integration of curricular content and global skill development.”

Outdoor education also contributes to attainment levels in our schools, which is another reason why we should get behind it.

I ask the Minister for Childcare and Early Years, Mark McDonald, who is closing the debate for the Government, to arrange a meeting with the two academics to whom I have referred, who are, I suggest, the foremost experts in outdoor education in Scotland. I am sure that he will find that very valuable.

In terms of local government supporting outdoor education, there are a number of social enterprises out there in Scotland doing fantastic work that require the support of local government and our new council administrations. I certainly hope that the new Moray Council administration will, once it is formed, provide such support. I hope in particular that it will support Wild Things! Environmental Education in Action, which is an award-winning environmental education charity in my constituency that has enabled more than 13,000 children, young people and adults to learn from and be inspired by their local natural environment and the wilderness regions of Scotland. Thankfully, Wild Things! has just been given £47,000 by Highlands and Islands Enterprise. The charity is based in Findhorn and works throughout Moray and beyond.

It is important that Moray Council continues to support organisations such as that and another organisation called Earthtime for All, which has been delivering projects in Moray and beyond for children aged from one to eight. The organisation runs an outdoor nursery that is based on the forest school principle.

Those organisations, which have appeared in relation to this agenda in the past few years, deserve support from central Government, but especially from local government and other funding organisations in Scotland. I urge the minister to visit my constituency to visit those two organisations when he gets the chance.

Outdoor education is the future of education in Scotland. We have to give it a central role in increasing attainment and promoting health and wellbeing—mental and physical—as other members have said.

The Deputy Presiding Officer: You crammed in a lot of requests, invitations and information for the minister. I hope that he has taken a note.

18:00

Alexander Burnett (Aberdeenshire West) (Con): I note my declarations in the register of members’ interests, especially those in relation to the National Trust for Scotland and Scottish Land & Estates.

I congratulate my colleague Brian Whittle on lodging his motion. According to the director of the Swedish national centre for outdoor education,

“Studies show that if you alternate outdoor and indoor learning, and the teacher is prepared, you get good results.”

I was fortunate enough to spend most, if not all, of my childhood outdoors, and I continue to try to be a good example of the benefits of outdoor learning. I was fortunate to live on the doorstep of the National Trust for Scotland’s Crathes castle and I have very happy memories of playing in the woods and finding Hay’s lemonade bottles to recycle through the shop—a journey of forest management, conservation and the circular economy that was ingrained at a young age.

Crathes castle is now visited by over 7,000 children a year, which represents a huge increase on 35 years ago. It is important that we acknowledge the tireless work that the National Trust for Scotland does across Scotland. Its role has evolved over the past few decades and outdoor learning has become one of its main priorities, enabling it to teach future generations about Scotland and themselves. The community outreach programme supports groups from different social, financial and cultural backgrounds. In 2016, the beyond the gate section of the

programme delivered over 2,000 hours of education to over 2,000 schoolchildren.

Young carers are also targeted, and the trust developed the counting stars programme to help those who are helping others. Over 25 per cent of young carers miss out on valuable school time and, as a result, do not get the qualifications that they need to get on in life. Thanks to the counting stars programme, many young carers are being given the tools to overcome those circumstances. The scheme enables them not only to get on, but to find employment, because many jobs require experience.

Such support is not limited to third sector organisations such as the National Trust for Scotland. Bodies such as Scottish Land & Estates similarly encourage their members to promote outdoor learning. An example is the imbewu Scotland programme—“imbewu” means “seed” in Zulu—which was a finalist in the helping it happen education awards. The project is aimed at 13 to 16-year-olds, many of whom live in urban areas and experience disadvantage or poverty of opportunity. It works with a range of partner estates to deliver a programme that educates young people about the value of, and opportunities for, employment in the rural sector.

All bodies, whether in the public, private or third sectors, should receive due recognition for the roles that they play in providing outdoor learning, and encouragement to do more. I gladly support the motion.

18:03

The Minister for Childcare and Early Years (Mark McDonald): I welcome this evening’s debate, which was brought to the chamber by Brian Whittle. It provides an opportunity for the Government to restate its commitment to outdoor learning and acknowledge the great work that is being done by teachers, support staff and parents across the country. They, along with local organisations and charities and their staff and volunteers, are making sure that children and young people have tremendous opportunities to learn in the outdoors.

It is no accident that outdoor learning is a key component of curriculum for excellence. The flexibility that teachers have within CFE to provide alternatives to formal educational settings means that they can use their professional judgment and creativity to deliver lessons in a variety of settings, using purposeful play and other activities. By learning in outdoor environments, young people can benefit from meaningful, engaging opportunities to apply their skills and knowledge in a real-life context, and such interdisciplinary

learning allows children’s learning experiences to be both broader and deeper.

The numerous benefits of well-constructed and planned outdoor learning have been well stated by members in the debate. It connects children and young people with the natural world, with our built heritage and with our culture and society. At the same time, it fosters a respect for and appreciation of the outdoors that can encourage lifelong involvement. It brings children and young people both challenge and enjoyment, motivating them to become successful learners and develop as healthy, confident, imaginative and responsible citizens.

There is growing evidence that increased access to the natural environment has a direct and positive impact on physical health and mental wellbeing. In addition to fresh air, exercise and stimulation, it can be instrumental in encouraging and promoting positive behavioural change.

We are lucky that, in Scotland, we have a uniquely rich and varied natural environment and centuries of social, cultural and economic heritage on which to draw. Today gives us all a welcome opportunity to recognise the great support that conservation charities, such as the National Trust for Scotland and RSPB Scotland—members have mentioned both—provide to schools that are looking for learning opportunities in beautiful and inspiring settings.

The Scottish Government continues to support access to our natural heritage through subsidy schemes such as the heritage travel subsidy grant, which is awarded by Education Scotland and administered by Historic Environment Scotland. That funding has enabled more than 30,000 pupils from almost 900 Scottish schools to get out and about and to explore and learn from our heritage sites across the country. Members who have spoken about what they see as a lack of opportunity may want to explore the fund’s potential to support the work of schools in their area.

The Government provides a range of support to the third sector, community groups and the youth work sector to promote outdoor learning. Our children and young people early intervention fund provides core and project funding for youth work organisations, including those that provide outdoor learning opportunities through the John Muir award and the Duke of Edinburgh award.

There are countless examples across the country of schools engaging with—and in—their local communities to provide stimulating outdoor learning experiences for young people. However, it is also important that we recognise that learners do not have to go far to benefit from the rich learning experiences that the outdoors can offer.

I will touch on a few of the contributions that have been made this evening. Like you, Presiding Officer, I will be interested to see how Brian Whittle's onomatopoeia is dealt with in the *Official Report*.

I was interested in Brian Whittle's comments on the exclusion factor as it affects those who are in less-advantaged communities. It is important that we look at the work that is being done in parts of Scotland where partnership working is often a key element. I have mentioned before in the chamber an example that I have seen in my constituency—the Fersands & Fountain Community Project, which deals with children in deprived communities that do not have access to high-quality outdoor learning spaces. It partnered up with the University of Aberdeen to make use of the university's botanic gardens as an opportunity for those children to have a quality outdoor learning environment. Providing opportunities is often about such partnership working.

Ross Greer made a point about risk. I have said previously at a number of events centred on our play agenda that there is a big difference between being risk aware and being risk averse. I want to see more of the former and a bit less of the latter. That chimes with Mr Greer's point. We have to ensure that risk is managed and mitigated, but that does not mean that it must be 100 per cent avoided for children to gain a proper and true appreciation of the benefits of learning in outdoor environments.

Edward Mountain (Highlands and Islands) (Con): Will the minister take an intervention?

Mark McDonald: I am happy to take a brief intervention.

Edward Mountain: I refer members to my entry in the register of members' interests.

Scottish Natural Heritage funds the salmon in the classroom project. The children are allowed to take salmon eggs and look after them before replanting them in the wild before they hatch. Will the minister clarify whether such Government funding will continue in its present form?

Mark McDonald: I was going to talk a little bit about Scottish Natural Heritage and the development of "Our Natural Health: An Action Plan", which aims to join up a range of work on encouraging greater understanding of the natural environment. I freely admit that I was not aware of the specific example that the member cited until he raised it. I am happy to look into it further and to see what role that project plays. As I have mentioned, it may be that part of the work depends on partnership approaches between SNH and specific local authorities. In all such debates, as Mr Whittle pointed out, we must maintain the balance between the Government taking a

prescriptive, central approach and allowing people the freedom and flexibility at a local level to determine the best interventions to support young people's learning in those areas.

The pupil equity fund that the Government has put in place is about ensuring that headteachers are able, in terms of both resource and flexibility, to determine the best approaches, for them, at the local level. I expect that, as we see work developing in the application of the pupil equity fund, we will see a number of schools operating outdoor learning approaches as part of that work.

Richard Lochhead has done his best to fill up my diary by taking me to Moray on a number of occasions. I have already accepted an invitation from him to visit one of the organisations that he mentioned, and I am happy to explore how we can use the work of the academics he cited to drive some of our outdoor learning agenda. In my recent statement to Parliament on the expansion of early learning and childcare, I spoke about our agenda to drive forward positive approaches to outdoor learning and to use opportunities in the early learning setting, and that flows through into educational approaches in the later years.

I highlight that, as well as looking at how outdoor learning can be promoted in our schools, we must look at how families can make better use of opportunities to get outdoors and get their children interested in the outdoor environment, building on the approaches in school. If children's exposure to outdoor learning in school is not further developed in the home environment, we miss a trick, so I am keen to look at how we can encourage families to be more active and more outdoor focused in our approach to such things as the play agenda.

The points that Brian Whittle has raised chime heavily with the agenda that the Government is seeking to drive forward in partnership with local authorities and other providers, and I thank him again for bringing the debate to the chamber.

Meeting closed at 18:11.

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