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Scottish Parliament

Wednesday 15 May 2019

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

Portfolio Question Time

Rural Economy

The Deputy Presiding Officer (Linda Fabiani): The first item of business is portfolio questions, and the first portfolio is rural economy. I remind members that questions 2 and 4 will be grouped together.

Food Production (Behavioural Change)

1. **John Scott (Ayr) (Con):** I declare a relevant interest.

To ask the Scottish Government what its position is on encouraging behavioural change with regard to food production, in light of evidence received by the Environment, Climate Change and Land Reform Committee from the Committee on Climate Change. (S5O-03222)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): Scotland is world renowned for the quality and provenance of its food and we want farmers and food producers to work with us to produce more of it sustainably. We are supporting behavioural change and the shift to low-carbon farming practices through a range of activity, including the farm advisory service, the beef efficiency scheme and Quality Meat Scotland's monitor farm programme.

John Scott: I thank the minister for her answer. She will be aware of the Committee on Climate Change advice on the need to reduce red meat consumption significantly in order to meet future targets. Is the Scottish Government of the view that that is necessary, or do the Scottish Government and the minister support my view that a balanced diet should include sufficient red meat consumption and that that should be a matter of individual choice, particularly as most of the red meat produced in Scotland is grass fed?

Mairi Gougeon: I am aware that the Environment, Climate Change and Land Reform Committee took evidence from the Committee on Climate Change this week. We want to continue to lead in promoting behavioural change towards low-carbon farming. As I mentioned in my first answer to John Scott, we have done that through the establishment of the beef efficiency scheme and our support for agri-environment schemes, and by ensuring that high-quality advice,

information and on-farm demonstrations are available through the farm advisory service and the farming for a better climate programme.

We want to work with farmers. I said that in my statement yesterday, and I know that the Cabinet Secretary for Environment, Climate Change and Land Reform feels the same. However, we are in a climate emergency, and this is an issue that we have to try to tackle together. That is why we have a number of initiatives in the area. We also have our climate change champions, who are hoping to lead by example and show that we can still have livestock farming and that that can still contribute to what we are aiming to do in the climate emergency.

Rhoda Grant (Highlands and Islands) (Lab): In order to change practice, farmers and crofters need advice and information, but they also need financial support. What measures will be in the new agricultural support scheme to help farmers and crofters to make the required change in practice?

Mairi Gougeon: As I have highlighted, a number of schemes are already available in which we are investing in that change, and we will have to continue to do that. Research and innovation are going to be vital as we move forward and try to work with farmers and crofters to see how we can tackle the climate emergency together.

As I mentioned in my previous response to John Scott, we have the climate change champions and the farming for a better climate programme, where we are looking at soil regeneration. The Government is providing funding for a number of schemes, and that research and innovation will become a vital part of support as we move forward.

The Deputy Presiding Officer: Questions 2 and 4 will be grouped together.

Food and Drink Sector (Cambuslang)

2. **James Kelly (Glasgow) (Lab):** To ask the Scottish Government what action it is taking to promote the food and drink sector in Cambuslang. (S5O-03223)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): Direct investment and support from the public sector that helps to promote the food and drink sector in Scotland equates to approximately £100 million per annum across a range of areas, including skills, education, research, industry development, standards and capital investment. That funding is provided on a national basis and it would be available to any business that is based in Cambuslang.

James Kelly: The minister will be aware that the 2 Sisters chicken processing plant in Cambuslang closed last year. That was despite the payment to 2 Sisters of £650,000 in regional selective assistance on the basis that the plant would be kept open.

That money is now in the process of being repaid, but the Scottish Government has confirmed to me that it will be recycled for general economic activity, and not invested in Cambuslang. That is despite an assurance in November from the First Minister that the town would be involved in consultation on how that money would be spent. Does the minister agree that the repaid money should be invested in Cambuslang, and will the Government urgently review its decision on the matter?

Mairi Gougeon: Contrary to Mr Kelly's comments, the Scottish Government's position on the issue has been clear and the commitment has not changed. Previously in the chamber, the First Minister explained the process that Scottish Enterprise would embark on to obtain repayment of moneys paid to 2 Sisters in relation to the site at Cambuslang. That process has been undertaken, and a repayment plan to return the moneys in full has now been agreed with 2 Sisters. I know that that was explained to Mr Kelly in a recent letter from my ministerial colleague Jamie Hepburn.

The First Minister has also said in the chamber that, in due course, we would have discussions with the local community about future investment. I know that, since then, Scottish Enterprise has been in discussion with South Lanarkshire Council on the actions that are needed to boost economic growth in the area and how those might be reflected in the council's refreshed economic strategy, which is supported by the £500 million Scottish Government commitment to the Glasgow city region deal. I also know that a further discussions are planned for 13 June to identify the key economic challenges across the authority area, aligning with the Glasgow city region plan, particularly around the five city region deal projects that are relevant to South Lanarkshire. Those include suitable projects in both Cambuslang and the wider area, and the Government is fully committed to them.

Food and Drink Sector (Glasgow)

4. **Bob Doris (Glasgow Maryhill and Springburn) (SNP):** To ask the Scottish Government how it supports the food and drink sector in Glasgow. (S5O-03225)

The Minister for Rural Affairs and the Natural Environment (Mairi Gougeon): Glasgow is home to a wide range of food and drink companies and plays a key role in our food and drink success story. Since 2012, four companies have been

supported with £2.31 million in food processing, marketing and co-operation grants. They include McQueens Dairies, which I believe is based in the member's constituency.

Bob Doris: I draw the minister's attention to the company TheVeganKind, which is a hugely successful vegan retailer, including of food, and which is based in Maryhill, although it uses an online platform for its sales. I understand that its growing success is boosting demand for vegan foods and creating new opportunities for vegan food producers, including here in Scotland. How might the Scottish Government consider supporting innovative models of food retail such as TheVeganKind in Maryhill, given the boost that their success can offer vegan producers in Scotland and the additional, accessible and convenient dietary choice that can be offered to families?

Mairi Gougeon: The growing vegan market offers opportunities for Scottish food producers and businesses to develop produce using our natural larder in Scotland. I know that Scotland Food and Drink supports food and drink producers to capitalise on that growing demand. Another good example is a company called Fodilicious, which produces fresh convenience food using quality locally sourced Scottish produce to help those with special dietary requirements. Having started in the free from market, it has now developed a successful vegan range. I know that some people adhere to a strictly vegan diet for a variety of reasons, but I am keen that we continue to promote healthy locally sourced Scottish produce—produce that is grown and made in Scotland, which can support jobs and livelihoods here and, most important, which helps to reduce food miles.

John Mason (Glasgow Shettleston) (SNP): Does the minister agree that the biggest threat to the food and drink sector in Cambuslang and beyond is Brexit, and that it would help a lot if Mr Kelly and his chums were to come off the fence and oppose Brexit?

Mairi Gougeon: It will not surprise the member that I agree with him. The Scottish Government has been clear from day 1 that leaving the European Union without a deal would have an absolutely catastrophic impact on the food and drink sector: it is expected to cost us £2 billion—that is from the United Kingdom Government's own figures. There would be an impact on exports, the protected geographical indication status of some of our most important products and the free movement of people. I talked about some of the other impacts on our sheep sector in the statement that I made to Parliament yesterday.

The Scottish Government has always asserted that the best future for Scotland is remaining in the

EU and that the second-best option is maintaining as close an alignment to the EU as possible. It is high time that others started realising that that is the case, if we are to avert the untold damage that will otherwise be done not only to the food and drink sector but to the wider economy.

Seasonal Agricultural Workers

3. David Stewart (Highlands and Islands) (Lab): To ask the Scottish Government what action it plans to take in light of the Scottish Affairs Committee's evidence session on seasonal agricultural workers. (S5O-03224)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): Seasonal migrant workers make a vital contribution to farming and food production in Scotland, and we share the concerns of the NFU Scotland about the availability of suitably skilled workers, and the risk that that presents to this year's crops and harvests.

The United Kingdom Government's future migration proposals do not meet Scotland's needs. The evidence that was presented to the Scottish Affairs Committee highlights serious issues with the pilot scheme, which seeks to recruit 2,500 workers for the whole of the UK—not enough to meet the number of current vacancies in the horticulture sector in Angus alone.

We will continue to monitor the situation and to work across Government to address skills and employment needs throughout the rural economy, but it is clear that one of the key solutions is to fully devolve immigration powers so that Scotland might develop a tailored migration policy to meet our needs.

David Stewart: Seasonal agricultural workers are often seen as low-paid and low-skilled. However, all the evidence suggests that many of the jobs that they do are highly skilled. Losing those workers will not only be a hard blow to employers and their local economies, but will have a significant knock-on effect in terms of depopulation of already fragile remote communities.

Will the cabinet secretary join me in supporting the workers in Europe and beyond who form a vital part of the backbone of rural Scotland by providing skilled labour and injecting a breath of fresh air into our rural communities?

Fergus Ewing: I am happy to agree with David Stewart and am pleased that he has made those remarks.

Those workers work extremely hard. Certainly in berry picking, the day starts very early, the conditions are tough and the work is hard. We really appreciate and welcome what those people

do and the contribution that they make to the economy of, and society in, rural Scotland. We think that they should continue to be welcomed in Scotland. That is why it is important that freedom of movement continues to be our policy. I very much hope that the Labour Party in Scotland will support freedom of movement, because Mr Corbyn seems not to support it.

Richard Lyle (Uddingston and Bellshill) (SNP): Will the cabinet secretary agree that it is scandalous that three years after the Brexit vote farmers still do not, due to Tory inaction, have any certainty or clarity about their workforces? Scandalous! *[Laughter.]*

Fergus Ewing: Mr Lyle has made the point clearly. I see that the Tories are laughing. I do not know why: this is a serious matter. Just about every employer in the rural economy has been making the same point for three years now. In those three years, a solution could have been found that would enable people from other countries who work hard in rural communities—whose work is indispensable and is a sine qua non of the functioning of the rural economy—to continue to do so, but the Scottish Tories have said nothing about it during that time. It is an absolute scandal; Mr Lyle is quite right.

The Deputy Presiding Officer: Question 5 has been withdrawn.

Fishing Industry (Meetings)

6. Ross Greer (West Scotland) (Green): To ask the Scottish Government when it last met representatives from the fishing industry and what was discussed. (S5O-03227)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The Scottish Government met the Clyde Fishermen's Association on 11 May 2019, and meets regularly with representatives of the fishing industry.

Ross Greer: Enforcement of marine protected areas is already difficult, which allows a small number of rogue fishing vessels to wreak havoc in protected habitats and undermine the fishing industry for everyone else. Last December, Parliament voted to roll out electronic monitoring of fishing vessels across the whole fleet to ensure that enforcement can be effective. When does the Government expect to be able to enforce marine protected areas properly by monitoring all fishing vessels?

Fergus Ewing: I am delighted that the Scottish Government is investing £1.5 million in fishing vessel tracking and monitoring. I had an excellent and productive meeting with stakeholders about precisely how that investment will be made in order to get best value and to make it as efficacious as possible. The investment is one of

the most practical things that can be done to ensure that sustainable fishing takes place. I am determined that that initiative be put in place as quickly as possible.

However, the real priority is to ensure that it is effective, that we have the right systems—because various options are available—and that it is efficacious in terms of securing the objective that we all share, across the chamber, as was made clear in the debate last December, to which Mr Greer alluded. It is important that we get it right, but I assure members that there will be no dragging of feet.

Food and Drink Sector (Meetings)

7. David Torrance (Kirkcaldy) (SNP): To ask the Scottish Government when it last met representatives of the food and drink sector and what was discussed. (S5O-03228)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): The Scottish Government meets representatives from the vital food and drink industry on a regular and on-going basis to discuss a range of issues.

Next week, I will attend the prestigious Scotland food and drink excellence awards in Edinburgh to meet representatives from the sector, and to celebrate the best that our successful industry has to offer.

David Torrance: Over recent months, I have met a number of local businesses in my constituency, including the impressive family-run business Fife Creamery Ltd. It is one of a growing number of companies that are becoming increasingly aware of their environmental responsibilities and of the importance of phasing out single-use plastic in their packaging. Can the cabinet secretary advise what support and guidelines exist for businesses that are keen to invest in greener and more sustainable alternatives?

Fergus Ewing: Zero Waste Scotland's food and drink advice and support service provides audits to businesses to help them to reduce their food and drink waste. It also has the £18 million circular economy investment fund to support investments in that area.

I am indebted to my hardworking and energetic colleague, the Minister for Rural Affairs and the Natural Environment, Ms Gougeon, who recently met that company, and assures me that it does great work. We are keen to continue to work with it and our agencies to ensure that the changes that are made—and the objectives that we all share—are pursued in an effective and pragmatic fashion. Such businesses want to do their bit for their environment, but they quite rightly want to do it in

a way that is sensible, well thought out, pragmatic and deliverable.

Agri-environment Climate Scheme

8. Tom Mason (North East Scotland) (Con): To ask the Scottish Government whether all outstanding agri-environment climate scheme claims from farm businesses in the north-east for the 2017 claim year will be paid by the end of June 2019. (S5O-03229)

The Cabinet Secretary for the Rural Economy (Fergus Ewing): Yes. That is our intention.

The remaining cases from 2017 have been complex to process, with there being eligibility issues associated with each claim, which staff are currently working to resolve. My officials assure me that they are confident that all outstanding issues will be cleared over the next few weeks, which will allow all remaining claims to be paid by 30 June this year.

Tom Mason: I appreciate that it is not an instantaneous process and that there will be some delays along the way. Given that total Scottish farm debt is currently about £2 billion, and that almost half of our farmers are failing to make enough money to pay themselves the equivalent of the minimum wage, those resources are vital.

What safeguards can the cabinet secretary put in place to ensure that such delays are lessened in subsequent years?

Fergus Ewing: Mr Mason raises a perfectly fair and correct general point. It is for precisely that reason that, at my specific direction, working with the full co-operation of colleagues including the Cabinet Secretary for Finance, Economy and Fair Work, farmers and crofters in Scotland received advance payments—up to 90 per cent of their full entitlement, in most cases—on 5 October last year. From memory, I think that there were nearly 18,000 offers, which were worth more than £317 million. That money was received by the bank accounts of farmers and crofters in Scotland about 2 months before those south of the border received money.

Members: Oh!

Fergus Ewing: Yes. It is precisely because of the difficulties and enormous uncertainties that are being caused by Brexit—which is Tom Mason's party's preferred policy; or, at least, we think it is, because it does not really say—that we have ensured that farmers and crofters get their money, and that they get most of it earlier than farmers in the rest of the United Kingdom. I want to keep it that way.

The Deputy Presiding Officer: I will take a quick supplementary from Maureen Watt.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Can the cabinet secretary confirm that the payments for 2018 are on time, and that the Scottish Government wants to keep farmers in Scotland farming and producing food, contrary to what Mr Gove told the Environment, Climate Change and Land Reform Committee this morning?

Fergus Ewing: We have made a strong start to the payment of the 2018 agri-environment climate scheme claims. We commenced the 2018 payments on 29 March, which is two months earlier than we commenced the 2017 payments. More than 47 per cent of claims, which are worth £7.8 million, have now been paid. At the same point last year, we had not yet begun to make payments. I hope that members will agree that that is excellent progress.

I pay tribute to all the hard-working staff in rural payments and inspections division offices throughout the country who are delivering that work. They do a superb job and are respected by the farming community. I am wholly indebted to them for their efforts.

Transport, Infrastructure and Connectivity

Road Equivalent Tariff (Orkney and Shetland)

1. **Liam McArthur (Orkney Islands) (LD):** To ask the Scottish Government when road equivalent tariff will be fully introduced on Orkney and Shetland ferry routes. (S5O-03230)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The Scottish Government is engaging with the European Commission following a state-aid complaint that was made to it by a private operator on 8 June 2018 regarding our plans to reduce ferry fares to the northern isles. Scottish Government officials met Commission officials on 12 November, and we await a formal view from the Commission regarding next steps.

In June 2018, we reduced passenger and car fares on routes to Shetland by 20 per cent. That was possible to implement, as it did not affect Orkney services. We remain committed to pursuing all avenues to reduce fares for Orkney and Shetland.

Liam McArthur: Next month marks 12 months since RET was supposed to have been rolled out on ferry routes that serve Orkney and Shetland. Over that time, people who use those lifeline routes have been forced to continue to pay over the odds. Will the minister commit to reinforcing with the Commission the urgent need to conclude its investigation, reach a decision, and allow those who rely on those lifeline services a fair deal? Will

he also commit to ensuring that the moneys that have not been spent on RET over the past year are directed to supporting the internal ferry services in Orkney and Shetland?

Paul Wheelhouse: On Liam McArthur's first point, I reassure him that we continue to engage with the European Commission on the state-aid complaint that was made by a private operator. We wrote to the Commission recently in light of Lord Boyd of Duncansby's judgment in relation to the judicial review in the Court of Session. Liam McArthur will, of course, be aware that there is a potential appeal to that decision, so I cannot comment further. I reassure Liam McArthur, however, that we continue to engage with the Commission to urge a resolution to the state-aid complaint as quickly as possible.

On Liam McArthur's second point, we have discussed the use of the funding allocated for RET for internal ferry services. That issue was raised by Councillor Stockan, Orkney Islands Council's leader, when I met him recently in the Parliament. Orkney Islands Council has committed to taking the issue away and engaging with local stakeholders—I presume that that includes Mr McArthur and other local elected members—to discuss the issue further. I remain open to holding further discussions with the council.

Donald Cameron (Highlands and Islands) (Con): The minister will be aware from his recent visit to Dunoon that local residents have asked whether RET will be applied to the particular service there, now that it is in the CalMac Ferries portfolio. Can the minister provide the Parliament with an update on that?

Paul Wheelhouse: That issue has indeed been raised and, as Donald Cameron may be aware, there was, for a period, the risk that there might be a judicial review of any decision to implement RET on the Gourock to Dunoon route. I am pleased to say that the indications from the private operator in the area—Western Ferries—are that it will not pursue that option and that it is keen to discuss with ministers the implementation of RET on the Gourock to Dunoon services. We have indicated to local stakeholders, including the ferry group, that we wish to discuss that. Our intention is certainly to take that issue forward positively.

Rhoda Grant (Highlands and Islands) (Lab): Could the Scottish Government look at indemnifying private operators that implement RET on the northern isles route prior to receiving reassurance from the European Commission? That would allow the Scottish Government to implement RET sooner rather than later.

Paul Wheelhouse: I have not looked at that specific proposal. Obviously, we have to tread very carefully. There is a live complaint and, as I

said in response to Liam McArthur's question, we continue to engage with the Commission to get a resolution as early as possible—we all have an interest in ensuring that. We have made a commitment to implement the policy when we can do so, but I have not looked at the particular opportunity that Rhoda Grant has raised. I will have a think about that and perhaps write to her about it.

Ferry Vessels 801 and 802

2. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government whether it will provide an update on the development of ferry vessels 801 and 802. (S5O-03231)

The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse): The delay to delivery remains a concern to Scottish ministers and we share the frustration of the communities that are affected and the workforce in the yard.

The management of the contract is for Ferguson Marine Engineering Ltd and Caledonian Maritime Assets Ltd. However, this week, Scottish Government officials have again written to FMEL to request information relating to vessels 801 and 802, in order to support a detailed programme with key milestones to support a revised cost of completion for both vessels. In order to move matters on, Scottish ministers have sought an independent view of the contractual dispute between FMEL and CMAL.

Jamie Greene: In this morning's Rural Economy and Connectivity Committee meeting, we learned that the first of the new ferries might be ready in about a year or so—more than two years behind schedule—and that the second ferry might be completed at some point next year. Both ferries might be over budget to the tune of tens of millions of pounds, and the public purse might need to foot the bill. Is it not simply the case that the minister's Government might have made a complete shambles of the matter?

Paul Wheelhouse: Mr Greene might want to reflect on the strongly held views of people in Inverclyde about his lack of support for the shipbuilding sector.

Jamie Greene: Apologise to the communities that you are letting down.

Paul Wheelhouse: Mr Greene is chuntering from the sidelines, but the Government has made a commitment to try to support shipbuilding jobs on the Clyde, and we are working very hard to ensure that the vessels are delivered. I hope that Mr Greene will reflect on the fact that we are trying to bring the contractual dispute between FMEL and CMAL to a resolution, as best we can. FMEL has indicated that there will be revised timescales for delivery, to which Mr Greene has alluded, and

which my colleague Michael Matheson discussed with the committee this morning. As I said in my first answer, we have sought further detail to underpin those estimates, because we want to see details in relation to the work plan.

Jamie Greene: Apologise.

Paul Wheelhouse: Mr Greene can chunter from the sidelines, but I am trying to answer his question, and I would have thought that he would want to listen to the answer. [*Interruption.*] Mr Greene can continue to criticise the Government, but he and other members would expect us to get the detail of FMEL's commitments to deliver the vessels, in relation to the revised work schedule and key milestones, so that we can manage the contract to completion. It would be a mistake to do anything else, and I hope that Mr Greene will reflect on the nature of his question.

The Deputy Presiding Officer: I would like to take three supplementaries, so they must be quick, please.

Stuart McMillan (Greenock and Inverclyde) (SNP): Notwithstanding the issues between CMAL and FMEL regarding the vessels, will the minister confirm his support for the workforce at the yard, who are attempting to ensure that the two vessels, which will support the CMAL fleet, are built?

Paul Wheelhouse: Absolutely. Stuart McMillan, who represents Inverclyde, makes an important point. Whatever issues have arisen, we recognise that the quality of the workmanship and the standard of the skills at FMEL are not in question. CMAL has made very positive remarks about the FMEL workforce, and we want to do all that we can to help. The Government's actions, which are being led by my colleague Derek Mackay, have tried to support the shipbuilding sector and ensure that the workers in the yard have a long-term sustainable future. We continue to focus our efforts on those aims.

Colin Smyth (South Scotland) (Lab): Given the impact of the dispute on FMEL, and the fact that the workforce wants the issue to be resolved more than anyone else, will the minister tell us a bit more about what is being done to support the workforce and, crucially, to protect the long-term future of the yard, along with the vital jobs and skills that it delivers?

Paul Wheelhouse: The significant funding that the Government has provided is now a matter of record. It is worth stating that FMEL won the contract fair and square. Thereafter, we have been supporting the yard to continue its work and ensuring that sufficient resource is provided to see the contract through and to support the workforce during that period.

As members would expect, we continue to engage with the business on the support that we can give in relation to investment and skills. We continue to look at the establishment of a longer-term pipeline for the whole shipbuilding sector in Scotland to ensure the visibility of further work. The latest vessel that we are doing design work on is the Islay vessel. In due course, there will be the opportunity for FMEL and other yards to tender for that work.

We are trying to do a number of things across the spectrum. I am happy to meet Colin Smyth if he wishes to discuss the matter further.

Kenneth Gibson (Cunninghame North) (SNP): Will the minister confirm that the Scottish Government remains absolutely committed to the completion and delivery of the Glen Sannox, 75 per cent of which has already been outfitted, to serve the Ardrrossan to Brodick route, as well as to boat 802? Unlike Mr Greene, having asked the question, I will now listen to the answer, rather than heckle the minister.

Paul Wheelhouse: I thank Kenneth Gibson for the question. I take this opportunity to stress that the contract for the vessels for CMAL is with FMEL, as the member indicated. As I said to Mr Greene, we are currently seeking details on the programme to complete the vessels. I would not want to comment on the exact percentage of the work that we understand has been completed at this time, but I note the figure that the member quotes. I will seek to have that confirmed and to get further detail of the work that remains to be completed on vessel 801 and vessel 802.

As previously stated, we remain absolutely committed to the completion of the vessels and to their deployment to serve their communities, such as those in Arran and in North Ayrshire more generally, and to ensuring the future of shipbuilding at the site and making sure that it continues for the long term.

The Deputy Presiding Officer: Question 3 was not lodged.

Aberdeen Western Peripheral Route (Signage)

4. Peter Chapman (North East Scotland) (Con): To ask the Scottish Government what plans it has to review the signage for the AWPR. (S5O-03233)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): Significant consultation was undertaken prior to designing the signage for this project. That resulted in a strategy that was agreed with local authorities during the design development stage.

Prior to opening to traffic, all new sections of road undergo a safety audit that includes a thorough review of signage. All signage is reviewed to ensure that it fully meets the required design and road safety standards. The audit confirmed that all signage is compliant with the appropriate standards and the aforementioned strategy. Consequently, no further changes are planned.

Peter Chapman: I thank the cabinet secretary for that answer, but I am disappointed with it. There have been a litany of issues with the management of the AWPR project, and signage is one that is still causing problems.

I will give the cabinet secretary three specific examples of where the signage falls down. First, signage at the start of the AWPR at the Stonehaven end do not include major north-east towns such as Fraserburgh and Peterhead. As a result, I have been contacted by local businesses in those areas, because drivers heading to the towns who do not know the area do not take the AWPR and end up going through Aberdeen.

Secondly, the signage still does not show that tractors are banned from the route, causing confusion and disruption to the local farming community.

Thirdly, local businesses on the old route have had their own signage removed because Transport Scotland does not allow it but refuses to work with them to find a compromise.

It is clear that the signage is not up to scratch, so I ask the cabinet secretary to commit to working with north-east councils and communities and to conduct a further review—

George Adam (Paisley) (SNP): This question is taking longer than it took to build the road.

The Deputy Presiding Officer: Excuse me! I will decide when a question is taking too long. Will you finish please, Mr Chapman?

Peter Chapman: Thank you.

It is clear that the signage is not up to scratch. Will the cabinet secretary commit to working with north-east councils and communities and conduct a review of it?

The Deputy Presiding Officer: Can we have a short answer, please, cabinet secretary?

Michael Matheson: There was a delay in the completion of the road. However, it was delayed for some 65 years, before this Government made sure that it was delivered for the north-east of Scotland.

The member is incorrect. The audit shows that the standards of the signage are correct. The strategy for the signs was agreed with the local

authorities, and it has been complied with in the completion of the route.

The member said that some of the signs are not able to hold local route information. In part, that is because if that was included, there would be too little room for the signs to carry the information that is required.

The member has raised the issue of tractors being allowed on the road on a number of occasions. The orders to designate the road a special road were issued back in 2010. It is a special road that is not allowed to be used by agricultural vehicles of the type that I know Mr Chapman is keen to see using it. I am afraid that they are not allowed.

Peter Chapman: On a point of order, Presiding Officer. I have just realised that I have been speaking about tractors and I did not declare an interest as a farmer, so I do so now.

The Deputy Presiding Officer: I am pretty sure that most people would have guessed that you are a farmer.

Aircraft Noise

5. Mark Ruskell (Mid Scotland and Fife) (Green): I will move on from tractors and start talking about aeroplanes.

To ask the Scottish Government how it ensures that communities are protected from the effects of aircraft noise. (S5O-03234)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): I recognise the impact that noise from an airport can have on those who are affected. Although airspace management is reserved to the United Kingdom Government, under the Environmental Noise (Scotland) Regulations 2006, airports are required to produce noise action plans, which set out the actions that they will take to mitigate the impact of their operations on local communities. An airport is required to use all reasonable endeavours to take the actions that are set out in its action plan, and we would take action under the regulations if we thought that an airport was not doing so.

Mark Ruskell: The cabinet secretary outlines the range of powers that airports have as competent authorities in relation to noise regulations. They also have very wide permitted development rights in planning, which often allows their unregulated and uncontrolled expansion. Does the cabinet secretary believe that, in the case of Edinburgh airport, ministers should have more control over operating conditions through formal designation of the airport and the use of powers under section 78 of the Civil Aviation Act 1982?

Michael Matheson: As I mentioned, the Scottish ministers would use powers under the Environmental Noise (Scotland) Regulations 2006, which impose a requirement for the airport to have in place an action plan in relation to tackling noise. Any actions that were taken by Scottish ministers would relate to those regulations, and that is the approach that we would take with Edinburgh airport.

Mark Ruskell is correct in saying that airport operators have permitted development rights within the designated area of the airport. Permitted development rights are set out in secondary legislation under the existing planning powers. We have committed to reviewing permitted development rights following the passage of the Planning (Scotland) Bill, which is presently before Parliament.

The Deputy Presiding Officer: Question 6 was not lodged.

Transport Infrastructure Investment

7. Stewart Stevenson (Banffshire and Buchan Coast) (SNP): To ask the Scottish Government how much it has invested in transport infrastructure in the north-east in the last decade. (S5O-03236)

The Cabinet Secretary for Transport, Infrastructure and Connectivity (Michael Matheson): In the last decade, the Scottish Government has invested in roads that benefit the north-east, including the £745 million Aberdeen western peripheral route, the Balmedie project and the Inveramsay bridge improvement. Our planned dualling of the A96 will involve approximately £3 billion of investment.

We have invested around £11 million in sustainable active travel and have allocated £7.8 million to north-east councils for cycling, walking and safer streets. We are funding the £330 million rail improvement projects between Aberdeen and Inverness and Aberdeen and the central belt, which includes a new station at Laurencekirk. The investment involved in our purchase of the four vessels that operate ferry services between Aberdeen and the northern isles and our support of a further vessel and harbour improvements totals more than £59 million. Our annual support of £200 million for buses, including the national concessionary travel scheme, brings significant benefit to the people of the north-east.

Stewart Stevenson: Wow. In any other context, that would be worthy of a round of applause.

We have heard from Aberdeen Considine that there has been a substantial increase in the number of views by potential customers of houses to the south of Aberdeen in Stonehaven and to the north. Is that not a serious early indication of the

16,000 new jobs that it is predicted that the AWPR might bring to us and the other benefits from that massive investment that has just been described?

Michael Matheson: All the early feedback on the AWPR has been overwhelmingly positive. In particular, there is a recognition that it is transforming journey times in the north-east, which is helping to improve and boost the north-east economy. The type of feedback that the member has just referred to is an example of the economic benefits that are starting to be realised. The AWPR is a demonstration of the Scottish Government's determination to ensure that Scotland has a strong and robust economy, including in the north-east. We will continue to invest in major infrastructure projects, not just in the north-east but across the country, to support our communities and the Scottish economy.

The Deputy Presiding Officer: I am sorry that there is no time for supplementaries; the afternoon's business is very packed.

Question 8 was not lodged. That concludes portfolio question time.

Treatment Time Guarantee

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a debate on motion S5M-17281, in the name of Alex Cole-Hamilton, on the treatment time guarantee.

14:40

Alex Cole-Hamilton (Edinburgh Western) (LD): I want to start by thanking the Cabinet Secretary for Health and Sport for the time that she has given to me on this subject. I know that she agrees with me on many of the problems that we identify in the motion. Although we cannot support the amendment in her name, because it would delete much of the reference to the problem, I welcome its tone and the apology that is in it.

There is a law that this Parliament passed, which this Government has broken more than 190,000 times since the Patient Rights (Scotland) Act 2011 received royal assent. The legal bonds of the legally binding treatment time guarantee are routinely broken—upwards of 200 times every single day.

Let me put that in the local context. In NHS Lothian, 34,000 people have had to wait for longer than 12 weeks this year. In NHS Greater Glasgow and Clyde, the number is 32,000 and in NHS Grampian, it is 27,000.

There is no sanction for that. No minister has resigned and no one gets a fine. It is a legally binding guarantee in name only. However, the human cost of the issue is measured in anxiety, frustration, pain and suffering. Lives are put on hold and potentially life-saving treatment is put just out of reach.

The issue comes up every week in all members' constituency surgeries. Every one of those patients has been let down by the false hope that this Government offered them, and each patient tells a similar story.

A letter arrives shortly after diagnosis, advising them of their legal guarantee to have treatment begin within 12 weeks. For most people, that sounds manageable. Twelve weeks is a season; they could get their diagnosis in early spring and be seen before the holiday in July. It might mean spending a bit longer on pain medication than they had hoped, but they can tough it out.

Accordingly, the person plans for their recovery, as everyone would do. They plan for the time after convalescence, when—free of pain and disease, they hope—they can start to live their lives again. They accept wedding invitations. They agree to host Christmas for the family. They book a holiday

in six months' time, because—according to that letter—they will be well out of the woods by then.

After about nine weeks, they begin to wonder why the hospital has not yet booked them in. A gnawing sense of doubt begins to creep in, so, perhaps on the Monday of week 10, they phone the surgical ward.

That is when they get the bombshell. They are not going to be seen in two weeks' time after all. More to the point, they are not likely to be seen for at least another 40 weeks, in some cases. That must be devastating to hear. The person asks about their holiday and is told, "Don't leave the country." They ask about the wedding that they plan to go to and are told, "Don't risk it; you might get a cancellation." They ask about Christmas and are told, "It's doubtful, because with any luck you'll just be coming out of surgery by then."

Aside from all the havoc that that causes a person in the basic administration of their lives, there is all the pain or immobility that they might be suffering. There might also be anxiety about the condition getting worse and even becoming life threatening.

I could offer many, many real-life examples from west Edinburgh of what I have described, and I am sure that every member in this chamber could talk about a case in their constituency. I will single out one person.

In December, I was contacted by Jane Ross. Over the past three years, Jane has suffered several failures of the treatment time guarantee, in relation to urology at the Western general hospital in Edinburgh. After developing bladder issues, she waited six months for a consultant appointment, then was referred for tests, which took more than a year to be performed. By that time, her bladder was so inflamed that it had shrunk to a fifth of its normal size. The pain was so severe she had to control it by not drinking at all until around 4pm in the afternoon, which allowed her to struggle through her part-time job. Dehydration started to affect her kidneys and gave her heart palpitations. It caused issues with her diabetes.

In August last year, after the test results came back, she and her consultant agreed that she would need to have her bladder removed and a urostomy performed. Like most people, she received a notification about her rights under the treatment time guarantee. And so she waited, in a worsening state of physical health and suffering.

All told, it took 36 weeks for her to have her operation. The wait was bad enough, but she had to lurch from week to agonising week, existing in this excruciating state, under the misapprehension that treatment was just around the corner. I wanted to weep for her. Hers is one of the hardest cases I have dealt with.

To its credit, the Government has set great store by the concept of realistic medicine, and I am a fellow traveller on that, believing in the basic precept that we should give patients all the facts and options about their condition and credit them with the maturity and mental capacity to direct their care. That should not be just about end-of-life issues; it should apply to every aspect of a journey through our national health service.

People are not stupid. They know that our NHS is oversubscribed and that, in all likelihood, they might have to wait for a protracted period for treatment. That is not really what bothers them—they accept that and understand. That is part and parcel of why our NHS is deservedly still the most well-regarded institution in our country. Patients just want doctors and politicians to be straight with them.

To have someone tell them from the outset that their wait will be 40 or 50 weeks would mean that they could plan accordingly. Some people might well decide to go private when faced with that reality, which might relieve pressure on other waiting lists and give other people a shorter waiting time to treatment by freeing up capacity.

Whatever our world view, I hope that we all agree that we cannot go on giving people false hope like this. I understand that aiming to stop breaking its own guarantee by 2021 might be an unavoidable reality for the Government, especially given workforce issues, the strain on capacity, our ageing population, the various issues that we are facing and the fires that we are fighting. I accept that, but all I ask is that the Government stops sending out letters that give people false hope. It should explain to them why their treatment has been set back and apologise for the discomfort that that causes.

People are mature and they understand that the NHS is under pressure, but they still value it immensely and give thanks every single day for those hard-working staff toiling for hours and hours for days on end to make them well and to get through those waiting lists. We just need to be straight with people, because they deserve to know where they stand.

I move,

That the Parliament notes that the Scottish Government's legally-binding 12-week treatment time guarantee has been broken at least 190,000 times since its introduction; notes that it is currently being missed by the largest ever margin, approximately 200 times a day; understands that the Scottish Government currently plans to stop breaching its own law by 2021, a full decade after the Patient Rights (Scotland) Act 2011, which established it; is concerned that there is no effective redress for patients or penalty for the Scottish Government in the event that it is breached; believes therefore that every patient who is subject to the treatment time guarantee should be given a realistic estimate of their waiting time from the

outset, and calls for every patient for whom the 12-week legally binding guarantee is missed to be sent a letter by the health secretary apologising for the Scottish Government's failure to abide by its law and providing details of how many times the 12-week target has been missed to date.

The Deputy Presiding Officer: Before I call the minister, I want to say that it is disappointing when members are not in the chamber at the beginning of a debate to which they wish to contribute. I expect a note from those who are in that position.

14:48

The Cabinet Secretary for Health and Sport (Jeane Freeman): I welcome this debate on what is an important issue for patients across Scotland.

There can surely be no doubt that I have been very clear from the outset that long waits are unacceptable and that improving performance against waiting times is one of my three key priorities. I therefore take this opportunity to again offer my unreserved apologies to everyone who is currently experiencing, or has experienced, a delay anywhere in the health system.

As I have said previously, too many people are waiting too long for out-patient appointments and treatment. I know only too well the impact that that has on the physical and mental health of the patient, and on their families. However, knowing that is not enough; people quite rightly expect us to do something to change it. My determination to do just that is exactly why I published the waiting times improvement plan in October last year to substantially and sustainably improve waiting times, particularly for those waiting the longest, backed by significant additional financial investment.

While we increase capacity in the NHS to deliver on that plan, for those people who have to wait longer than 12 weeks, health boards need to ensure that each and every person is given a realistic timeline from the very beginning of their journey and kept up to date with any changes that affect that timeline. Around a year ago, my predecessor, Shona Robison, said that health boards should be advising patients of their likely wait and the reasons for delay. We committed to reinforcing that through the revision of "The Charter of Patient Rights and Responsibilities", which is routinely reviewed every five years, with the latest review beginning in 2017. That revision has gone through a rigorous engagement process, including with stakeholders such as the patient advice and support service. I am pleased today to advise members that the revised charter will be laid in Parliament before the summer recess and will be applicable from autumn this year. We have also been working with our health boards and key stakeholders across the country to deliver on our

commitment to give patients clarity on the length of time that they can expect to wait before treatment, and the revised letter and guidance will be used nationally and issued to boards by the end of this week.

Since the introduction of the waiting times guarantee, around nine out of 10 patients have been seen and treated within 12 weeks. That is more than 1.7 million patients, and every bit of that achievement is down to the staff working in the health service. Recognising that matters, but it does not and will not deflect from my determination to see improvement. Our work to improve performance is not confined to the treatment time guarantee but extends to mental health, our cancer targets, and attendances at accident and emergency departments. Our A and E performance is the best anywhere in the United Kingdom and has been so for more than four years, despite a significant and sustained increase in A and E attendances. However, there is more to do: continuing our work with the Royal College of Emergency Medicine in Scotland; consistently implementing the six essential actions across Scotland, with no variation; and improving hospital flow and discharge.

Since October, we have invested £26.7 million from the total of £850 million to make immediate reductions in waiting times across a range of procedures and, importantly, to focus board by board on the most pressing areas of longest wait. That varies board by board, and it is important that the resources are targeted in that way. Last month, I announced a further £70 million for this year. That will see additional recruitment of specialists and healthcare professionals, increased numbers of orthopaedic and cataract procedures and an increase in the number of out-patient appointments and diagnostic procedures. All of that is aimed at meeting the first waiting times milestone this autumn.

However, although increasing activity is important, we need to build resilience into the system so that we have future sustainability. That comes by increasing capacity through the network of elective and diagnostic centres that we are creating and the work of the Scottish access collaborative, which brings together clinicians, healthcare professionals and others to ensure that the design of our patient care and pathways are as streamlined and effective as they can be. NHS Scotland is recognised as a world leader in quality improvement—it is the central underpinning of our patient safety programme. It must therefore be embedded in the delivery of all our improvement programmes, including the waiting times improvement plan. Alongside all that I have outlined—and much more besides—runs our access quality improvement work to increase our capacity to consistently improve patient pathways

and patient experience and existing access improvement programmes.

Our performance on waiting times must improve, and I believe that our commitment to that is clearly evidenced by the many actions that we and staff across the NHS are taking. All of that—the immediate activity and the long-term sustainable solutions—is focused on delivering the care that patients need in the timeframe that they rightly expect and in reaching a better balance between demand and capacity, so that we are better placed with sustainable solutions now and for the future.

I move amendment S5M-17281.4, to leave out from “Government’s legally-binding” to end and insert:

“Government offers an unreserved apology to any patient who waits longer for treatment than they should do; further notes that this extends beyond patients covered by the treatment time guarantee to those receiving any form of NHS care, including through outpatient, A&E, and mental health services; believes that every patient should be given a realistic estimate of their waiting time in writing, that anyone not being seen within their target should receive an apology in that letter, and that this should be underpinned by updating the patients’ charter; understands that the Scottish Government’s waiting time improvement plan sets a trajectory of investment and recovery, and believes an early aim of this work should be to ensure that there are no patients with very long waits for treatment.”

14:55

Miles Briggs (Lothian) (Con): I thank the Liberal Democrats for using their business time for this important debate.

No one can be in any doubt that, since Nicola Sturgeon and the Scottish National Party Government introduced the patient treatment time guarantee in 2011, patients and their families have been let down. I believe that it is also important to look at the wider patient treatment targets that the Scottish Government is failing to meet, which I outline in my amendment.

This is mental health awareness week. I welcome the positive campaigns to raise awareness and the need to tackle the stigma that still exists around mental health. However, the question that I am asked again and again is what the point is in trying to encourage people to come forward as they will often be failed when they seek help.

Alex Cole-Hamilton, Alison Johnstone and I represent Lothian. I am sure that they, too, will be acutely aware of the unacceptable waiting times for psychological treatment and the failure to meet the child and adolescent mental health services waiting times for our constituents. I am sure that I am not the only MSP who has parents at my advice surgeries desperately trying to navigate the

CAMHS system, telling me how they have been told that the waiting time is more than a year for children and young people and two years for adults. I have to say that the parents and families whom I represent are way beyond wanting an apology from SNP ministers—they want action. Those parents and families feel abandoned by a Government that has been in office for 12 years. The situation in Lothian is getting worse, and mental health waiting times here in the capital are now beyond crisis levels, with the situation showing no sign of improvement.

Parents in Lothian have been told by general practitioners to go private if they want to access support for their children, as NHS Lothian clearly does not have the capacity to see them. Children who are in desperate need of support are being told that there is a wait of more than a year. In some cases, as the Health and Sport Committee heard recently, parents are being told that their child would likely be seen earlier if they were self-harming. Scotland’s young people—our future—are being failed.

As the co-chair of the Parliament’s cross-party group on cancer, I regularly hear about the mental health impact that suspected cancer brings to individuals, including weeks and months waiting and not knowing, sleepless nights and unimaginable stress. The latest cancer waiting times show that only 82.9 per cent of patients in Scotland with suspected cancer and an urgent referral started treatment in 62 days. As Cancer Research UK stated,

“These figures show a service under huge strain with too many patients waiting too long.”

Jeane Freeman: Will the member take an intervention?

Miles Briggs: A brief one.

Jeane Freeman: Does the member accept that the 31-day target is being met? In his amendment, the member calls for additional resources for the NHS. Will he explain how we will be able to do that, given the Tory Party’s plans to cut tax and its refusal to back a budget that included £850 million for waiting times and an additional £250 million for mental health?

Miles Briggs: I had hoped that the debate would rise beyond such comments. The fact is that the Government has been given £2 billion in additional health resources. Today’s debate should be a wake-up call for the cabinet secretary and not just an opportunity for her to try to score cheap points. She should know just how desperate things are in the system, and it is happening on her watch.

Almost since the day the Government passed the treatment time guarantee, we have heard

excuse after excuse from SNP ministers. That has to end. Patients want and should be receiving timely treatment. Our NHS professionals want and should be able to provide the person-centred care that we all want to see, not constantly juggling patients in a desperate attempt to meet SNP targets.

The cabinet secretary has mentioned and made much of the £850 million waiting times improvement plan, which was published in 2018. Early information on the plan points towards NHS boards accessing funds for new pieces of medical and investigatory equipment but, on the ground and across the boards, there are not the staff in place to utilise that equipment to its full capacity or provide additional clinics. The expected improvement is not being realised.

Perhaps the only area where ministers have achieved progress is in the increased use of private capacity in Scotland. The plan sets out actions to ensure the future delivery of waiting time standards and guarantees for patients across Scotland by the spring of 2021. However, SNP ministers have already publicly accepted that they have failed to deliver on the promises that were made to patients across Scotland; the waiting times improvement plan will reduce the target for the proportion of in-patient or day cases that must be seen within 12 weeks from 90 per cent to 75 per cent by October 2019. It seems that the SNP ministers' answer to not being able to meet the target is to water it down even further.

I believe that we need a national debate on the wider impact of targets on our health service. Every week, I meet NHS professionals who feel that the target culture that has built up in our NHS is focusing resources on the wrong priorities, at the same time as demoralising our NHS professionals, who are often unable to meet those very targets.

SNP waiting times promises that were made to patients across Scotland have been broken. The minister asked which ones. She read out all the targets that she has broken. Patients feel totally let down by this Government. It would be good if ministers listened to that fact.

Alex Cole-Hamilton often brings selected quotes to the chamber. Albert Einstein said that, if we want different results, we have to try different approaches.

I move amendment S5M-17281.1, to insert at end:

“; notes the health secretary's comments that there are still too many people waiting too long for the treatment that they need; further notes that the treatment time guarantee is not the only waiting time target being missed, with others including the 18-week referral to treatment standard, the 62-day cancer urgent referrals standard, psychological therapies waiting times and the CAMHS waiting time

standard; is concerned that waiting times are too long, and believes that the Scottish Government needs to take action to give the NHS the resources and the leadership that it needs to tackle this crisis.”

15:01

Monica Lennon (Central Scotland) (Lab): I thank Alex Cole-Hamilton for securing this important debate, for making an excellent speech and for telling us about his constituent, Jane Ross.

The treatment time guarantee is law. It should have ensured that people receive treatment within 12 weeks, but the most recent figures tell us that since Nicola Sturgeon—then Cabinet Secretary for Health, Wellbeing and Cities Strategy—introduced it in 2012, the Scottish Government has broken its law about 190,000 times. Nicola Sturgeon is now Scotland's First Minister, and she recently said that she is “not surprised” by long waiting times.

Jeane Freeman, the current Cabinet Secretary for Health and Sport, has admitted that waiting times are too long. I agree, and I think that we all agree that it is a broken promise too far. Is the cabinet secretary's best response really to continue breaking the law until at least 2021? The law is not worth the paper that it is written on. If it were any other law in Scotland, and if it were anyone other than the Scottish Government breaking it, there would be consequences. However, as things stand, there is no penalty.

The Minister for Mental Health (Clare Haughey): Will the member take an intervention?

Monica Lennon: I will, if I have time.

The Deputy Presiding Officer (Christine Grahame): If you take an intervention, you will not get your time back, so I will leave it to the member to decide.

Monica Lennon: I will take the intervention.

Clare Haughey: I thank Monica Lennon for taking the intervention. I clarify that the guarantee in the Patient Rights (Scotland) Act 2011, which was voted on and decided by Parliament, is not enforceable by legal action. Does she disagree with the Parliament's decision on that?

Monica Lennon: We will get to the point about what the law actually says, but the main point is that we have just heard that 190,000 patients have been let down. That is a disgrace. [*Interruption.*] I wish that I had more time for interventions, but I do not.

In a Scottish Labour debate in May last year, we forced the Scottish Government into a commitment to amend the “Charter of Patient Rights and Responsibilities” to ensure that patients get an accurate waiting time estimate. A year later, we have the Labour amendment to the

motion, because no changes have been made to the charter.

It is our concern that health boards have not been communicating well enough with patients. We hear what the cabinet secretary has said today by way of an update, but Parliament and the country have been waiting long enough. I hope that she can convince us that we can believe her this time, and that action and real change will happen. The changes must not happen at a snail's pace, which is why Scottish Labour's amendment highlights our disappointment about the lack of progress in a year.

Today, I am sure that we are all thinking about constituents who have been let down. Behind the figures are people who are in pain or distress and are waiting too long for treatment. As Miles Briggs said, this is mental health awareness week, so it is timely that we acknowledge the emotional upset and nervous anxiety that people can experience while waiting for treatment. Long and indefinite waits can have far-reaching consequences for people, touching all areas of their lives. It is easy to see how people can quickly be plunged into financial difficulty or poverty because of ill health. Long waiting times can have terrible consequences for people who are low paid, self-employed or in insecure employment.

The implications of illness and pain extend beyond the individual: they impact on families, communities and workplaces. The workforce crisis in the NHS has many consequences, and too often it is the most vulnerable people who pay the price.

Long waiting times are a recurring issue for my constituents. Last year, one woman in Hamilton waited more than 80 weeks for surgery on her wrist, and is now worried about permanent or long-term damage.

My family has benefited hugely from the NHS in the past few years, for which I will be forever grateful. My mum's GP probably saved her life. She has been successfully treated for cancer and will celebrate her 60th birthday this month. Thank goodness for that. However, after her cancer treatment, my mum needed another operation for which she had to wait longer than 12 weeks: she had to wait 42 weeks, which set her progress back. My mum is not looking for an apology; she just does not want other people to have in the future to wait so long.

Scottish Labour strongly supports the Liberal Democrat motion, which rightly holds the Scottish Government to account over its failure to comply with its own law. We also support the Conservative amendment, which highlights the other important NHS targets that have been missed.

We welcome Jeane Freeman's apology to patients in her amendment, and her agreement that patients should be told their expected waiting times in writing. However, we cannot support that amendment because it does not acknowledge the extent to which the Scottish Government has broken its own law, its plan to continue breaching it until 2021, or the fact that there is no redress.

Scottish Labour calls on the Government to honour its commitments and the people of Scotland.

I move amendment S5M-17281.2, to insert after "from the outset":

"; notes that 12 months have passed since the Parliament called on the government to ensure that accurate waiting times are given to patients; is disappointed that no changes have yet been made to the Charter of Patient Rights and Responsibilities to deliver this; considers that long and unknown waits can adversely affect an individual's family life, mental and physical wellbeing, education, income and employment".

The Deputy Presiding Officer: I am sorry. We are tight on time. That is what happens in these short debates. It is what the Parliamentary Bureau agreed, so members will just have to live with it. Alison Johnstone has four minutes.

15:06

Alison Johnstone (Lothian) (Green): I, too, extend my thanks to our NHS staff, who work tirelessly to improve our health—too frequently doing so in an extremely pressured environment.

I welcome the fact that we are debating the treatment time guarantee. However, the Green amendment was not selected for debate, which in this instance is particularly frustrating, because neither the motion nor the other amendments outline the problem and potential solutions in a way that the Greens feel would be of greatest benefit to patients.

Alex Cole-Hamilton is right to have described the severity of the problem, but I do not agree that a letter to patients, which has the potential to make them feel like another statistic, is an adequate response.

I appreciate the proposed actions that are set out in the cabinet secretary's amendment, but I regret that it would delete entirely the text of Alex Cole-Hamilton's motion.

I agree with the contents of Monica Lennon's amendment and I agree with Miles Briggs's amendment, but I cannot square his party's commitment to a great tax cut for the wealthiest people with increased funding for the NHS.

Shorter waiting times can reduce patient anxiety, improve patients' quality of life and improve clinical outcomes. We are all in

agreement that the sooner a patient can access treatment, the better. That is why waiting times are important. However, as we know, there are considerable workforce pressures across NHS Scotland, which is treating patients who have increasingly complex conditions and multiple morbidities.

Of course, Brexit will not help. The British Medical Association has repeatedly raised concerns about the impact of Brexit on the health workforce. I am concerned that, if we cannot recruit sufficient numbers, the onus for improving waiting times will be placed on the existing workforce. The Scottish Government's waiting times improvement plan states that it will

"Encourage more capacity ... by working with Staff Side and Employers to reduce sickness absence rates with a focus on staff health and wellbeing".

A recent BMA survey showed that 91 per cent of the doctors who responded were working more than their allotted hours, so I would argue that many NHS workers are already working over capacity.

People who work in the NHS must be able to take a day off when they need to because of their own ill health. It is, of course, hugely upsetting and disappointing for patients when the treatment time guarantee is not adhered to, but we must, because they are working incredibly hard, also ensure that we avoid making staff feel that they have failed.

Opposition parties are right to criticise the Government, but it cannot be beyond us all to find a way forward with constructive steps that can be taken to bolster our struggling health service. The Scottish Government needs to be honest about what level of service the NHS in Scotland can realistically provide, given workforce pressures and current funding.

In its 2018 report, Audit Scotland said:

"The NHS in Scotland is not in a financially sustainable position. NHS boards are struggling to break even, relying increasingly on Scottish Government loans and one-off savings."

It recommended that the Scottish Government, NHS boards and integration authorities

"work together to develop a clearer understanding of demand ... and capacity ... within primary and secondary care"

and

"publish clear and easy to understand information ... including how much funding was provided, what it was spent on, and the impact"

that it had. I urge the cabinet secretary to take that on board and to hold a national conversation on the NHS—one that would be far broader than the one that Miles Briggs outlined. It should cover

what we all expect from the NHS and how much we are all willing to pay to meet those expectations.

Missed targets are a symptom of wider issues, so placing more pressure on boards and staff to meet targets will not solve the problem. Let us ensure that health boards have the resources that they require and that there is a greater focus on the preventative health agenda in order to lessen that strain, which will enable us to meet the treatment time guarantee.

The Deputy Presiding Officer: We move to the open debate. Speeches should be kept tightly to four minutes, please.

15:10

Mike Rumbles (North East Scotland) (LD): In anticipation of the debate, I looked up the definition of the word "guarantee" in several dictionaries. One defined it as

"a formal assurance (typically in writing) that certain conditions will be fulfilled".

Another said that it is

"a legal term more comprehensive and of higher import than either a warranty or security".

So, what is the guarantee? It seems to me to be nothing more than an unfulfilled promise to the 27,000 patients in NHS Grampian who, since the guarantee took effect, have had to wait longer than 12 weeks for treatment. In the last quarter of 2018, the figure represented 42.5 per cent of all the patients in the NHS Grampian area who were waiting for treatment.

I want to make it clear that I do not blame the hard-working staff who work for NHS Grampian for that sorry state of affairs, nor do I blame them for the fact that NHS Grampian has regularly had the worst records in Scotland for operations being cancelled for non-clinical reasons and for treating child and adolescent mental health problems.

In other areas, too, NHS Grampian's record in treating patients is less than spectacular. For the final quarter of 2018, the board had the second-worst record for treatment within the 31-day standard period from decision to treat to first cancer treatment. Furthermore, in the final quarter of 2018, 85 per cent of patients who were referred to clinics in Grampian for chronic pain treatment received their treatment outwith the guaranteed time.

I could go on with a rather lengthy list of various treatments and illnesses for which patients in NHS Grampian come out worse, or almost worse, than those in any other health board area in the country. Presiding Officer. I am not going to do

that, because you have given me only four minutes, so I would not have time.

We often talk about a postcode lottery for various treatments, but it is worse than that for the 11 per cent of Scotland's population who happen to live in the NHS Grampian area. Earlier, I said that I do not blame NHS Grampian's hard-working staff for the situation in which we find ourselves. I want to lay the blame for that sorry state of affairs fairly and squarely at the door of the Scottish Government, because, over the past 10 years, the Scottish ministers have failed to provide £239 million of funding that should have come to NHS Grampian. That is not my figure—it is one that has been provided by the Scottish Government and is available to everyone through the Scottish Parliament information centre.

John Mason (Glasgow Shettleston) (SNP): Will the member give way?

Mike Rumbles: I would love to do so, but unfortunately I do not have time.

The Scottish Government's own NHS Scotland resource allocation committee formula still underfunds NHS Grampian's population, which has never, unlike the populations of other health board areas, been fully funded. Without doubt, that cumulative underfunding over the past 10 years has led to worsening patient care in the north-east. Every time I have raised that point in the past three years, the Cabinet Secretary for Health and Sport has said that more money is coming into the NHS or that the gap in its NRAC formula is closing. Actually, this year, it is increasing again—and it still does not address the £239 million that NHS Grampian has already lost.

The Scottish Government should address the funding shortfall to enable the staff of NHS Grampian to receive the resources that they need to do their jobs and meet the treatment time guarantee. The people of the north-east demand action from the Scottish Government to put the situation right, and they want it now. I am glad that the health ministers are here to listen to that.

The Deputy Presiding Officer: Thank you, Mr Rumbles. A wee correction—I did not give you four minutes; it was the Parliamentary Bureau, and Parliament then voted for the four minutes. I am merely the policeman. *[Laughter.]*

15:14

Emma Harper (South Scotland) (SNP): We are again in the chamber, discussing healthcare in our NHS. At the outset, as always, I put on the record my thanks to our incredibly skilled and competent NHS staff across Scotland, many of whom are my former colleagues.

Our NHS delivers a wide range of complex specialist care and treatment to the people of Scotland. The diverse services that are provided in NHS hospitals range from complex diagnostic procedures to life-changing—and indeed life-saving—surgeries, both planned and emergency. There are a wide range of waiting times targets—surgical, medical, out-patient, in-patient and mental health.

I am interested in the Lib Dem motion. I recognise that there are challenges in our NHS when it comes to waiting times, but, under the SNP Scottish Government, the NHS in Scotland is outperforming the NHS in the rest of the UK.

The bill that became the Patient Rights (Scotland) Act 2011, which is mentioned in the motion, was introduced by the Scottish Government in 2011. Its principal aim was to enshrine in law that patients must be supported properly and their voices must be heard. Since October 2012, the act has set out a 12-week treatment time guarantee for planned in-patient and day cases. The 12-week target applies once the patient has been diagnosed and has agreed the treatment with their clinician. It is worth noting that it is the health boards' responsibility to ensure that eligible patients receive their treatment within 12 weeks. That may mean that, with the patient's consent, the health board will arrange for them to be treated in another health board area.

I am interested in addressing the points that Alex Cole-Hamilton raised about surgery being performed at private clinics in order to free up time. That is not the answer. Surgical procedures—

Alex Cole-Hamilton rose—

Emma Harper: I am not going to take an intervention. We have four minutes for speeches because that is what the Liberal Democrats chose.

Surgical procedures that do not require high-dependency unit or intensive care unit beds, such as day case herniorrhaphy or arthroplasty, can be done privately, but those procedures help to support staff learning and knowledge in patient care, airway management and observation of vital signs as part of a clinical care pathway.

It would take me longer than the four minutes that I have to explain how continuing professional development, the addressing of complications that arise, which the NHS has to deal with, and the clinical care pathways require a multidisciplinary team who all know and work with one another. The use of private hospitals to free up time is not the answer. It may be one answer, but the issue is complicated and complex.

I am pleased that the Scottish Government recognises that there have been challenges in

meeting all waiting times across Scotland. It is important to ensure that no one is waiting too long for appointments and treatment. I was pleased when the Cabinet Secretary for Health and Sport published the £850 million waiting times improvement plan in October 2018, but that was not long ago. We need to allow time for health boards and everybody else to look at what they are doing to improve waiting times, given that the cabinet secretary introduced the plan only last October.

Jann Gardner, the chief executive of the Golden Jubilee national hospital, welcomed the announcement and plan, saying that the plan provides direct funding for specialists to provide an additional 200 general surgery operations, 600 ophthalmic procedures and 1,200 endoscopies and colonoscopies each year across Scotland—action that will help to reduce waiting times.

The strategy proposes that some patients, particularly those who are waiting for a routine check-up or test results, will be seen closer to home by a team of community healthcare professionals with close links to the hospital.

The Government is committed to addressing the challenges that we have heard about this afternoon and, as we have seen, the cabinet secretary is taking a proactive approach.

15:19

Edward Mountain (Highlands and Islands) (Con): I thank the Liberal Democrats for allowing us to debate the subject this afternoon. In the short time that I have, I want to focus on waiting times in NHS Highland.

Let us be clear: the Government made the 12-week waiting time guarantee. Patients want it to be met and clinicians want to deliver it but, to be frank, they do not have the resources to do so. I appreciate that the cabinet secretary has said sorry, but sorry is not going to be enough.

The latest figures on NHS Highland show that, in the most recent quarter, 45 per cent of patients waited more than 12 weeks for treatment and 20 per cent were not treated within 18 weeks of the referral date. On targets, the NHS is not on the same page as the Scottish Government. Indeed, I venture to say that they are in different books.

Clare Haughey: Will the member take an intervention?

Edward Mountain: I will take an intervention from the cabinet secretary, but not from you, I am afraid.

Patients feel let down, and clinical staff feel the burden of responsibility. They should not. They are not to blame. The truth of the matter is that NHS

Highland, like many health boards, is understaffed and overstretched. Members may ask why, and I can tell them that it is because the Government, having managed the NHS for 12 years, has mismanaged the recruitment of health staff. We do not have enough GPs, nurses or even radiologists, yet huge pressure is placed on clinicians to deliver treatment time guarantees.

Jeane Freeman: Will the member take an intervention?

Edward Mountain: I will. I am always delighted to.

Jeane Freeman: Thank you. I point out that, in the initial additional funding that I talked about, NHS Highland received significant additional funding of more than £2 million for ophthalmology, general surgery, endoscopy and so on. That was additional funding that Mr Mountain voted against when he voted against the Scottish Government's budget. I would be grateful if he could explain to me how he squares that particular circle.

Edward Mountain: It is always nice to hear the cabinet secretary make such comments, so that I can respond to them. How was ophthalmic treatment delivered? It was delivered not by NHS staff, but by private companies that were brought in because this Government did not have the staff in place to deliver it.

Let me take the cabinet secretary back to John Sturrock's report, which we discussed very briefly the other day. It is a report into bullying and harassment in NHS Highland, which he describes as having a terrible impact on the staff and their wellbeing.

I will focus on just one passage—I will make sure that I read it out right. It says:

"Unrealistic or unachievable expectations can lead managerial staff to pressurise clinical and other staff to improve performance ...

Thus, these policies may have an adverse impact on the people charged with delivering them, leading to dysfunction and loss of morale which can tend to cascade down through the system."

That is a damning indictment, cabinet secretary. I believe that the way in which those policies have been rolled out in NHS Highland, and the lack of delivery, is not only bad for our health, but bad for the health of the staff who work there.

Solutions are desperately needed. The Government has to improve on recruitment levels to reach the point at which staff have a realistic chance of achieving waiting time targets. I accept that the waiting times improvement plan that the cabinet secretary has announced is a step in the right direction. I also welcome the construction of a mobile theatre at Raigmore hospital and the new

elective care centre. That is indeed a good start, but we need more.

Let us be clear: we all cherish our NHS. We owe a huge debt of gratitude to our doctors and nurses, and we need to care more for those who care for us. Putting too much pressure on them to deliver on waiting times when they are not resourced to do so is not good enough, and it needs to change.

The Deputy Presiding Officer: I call James Kelly, to be followed by George Adam. Mr Adam will be the last speaker in the open part of the debate.

15:23

James Kelly (Glasgow) (Lab): I thank Alex Cole-Hamilton and the Liberal Democrats for lodging an important motion that shines a light on a serious issue: the amount of time that patients have to wait for treatment. The statistics tell us that the treatment time guarantee has been broken 190,000 times and that 25,000 people are still on waiting lists. However, the debate is not just about the statistics and the fact that situation is not getting any better; it is about the human stories behind those statistics.

Like other MSPs, I have been inundated with cases from constituents who have had difficult experiences. I want to highlight two in particular from the Rutherglen area. It took one gentleman eight months to get his knee issue properly diagnosed and for treatment to be outlined. He was given a treatment time guarantee of January this year, but was then told that it would be October before there would be any treatment. That has caused him a great deal of stress.

The other case involves a lady who had a hip issue. Her hip was X-rayed in July 2018, and it took until the end of the year for a diagnosis to be made and proper treatment—a replacement—to be decided on. A treatment time guarantee was given of April 2019 but, again, the patient was advised that it would be at least October 2019 before the procedure was done.

The length of time that people are having to wait is unacceptable. The examples that I have given show the failings in the system around the time that it takes to diagnose someone's issue and give them the treatment that they need. The story behind those failings involves the impact on those people—the pain and mental trauma that they have to suffer, the difficulties caused for the family and the disruption caused in people's lives when it comes to their ability to go out and work and participate in normal, everyday activities. That is unacceptable.

I have to say that it is a sad comment on the 20th anniversary of the Parliament—there has

been a lot of commentary about that over the past couple of weeks—that a law that we passed in 2011 has been broken 190,000 times.

We must think about the effect on individuals and communities throughout Scotland. People are entitled to better. I note the cabinet secretary's apologies, but it is absolutely essential that people get effective notice of when they are going to get treatment. We need to see serious progress on the action plan to rectify the problem by 2021. What I am seeing on the ground is that that is not happening.

We have all experienced great advantages and benefits from the NHS. We see those in our lives and in our families' lives. Unfortunately, at the moment, people are having to wait an inordinate amount of time not only for diagnosis but for treatment. That is causing real disruption to their lives. People expect better and we demand better from this Government.

The Deputy Presiding Officer: I thank members for keeping to their time so far. Mr Adam, please do not break the habit.

15:37

George Adam (Paisley) (SNP): We keep having debates on this issue, and we are all aware of the challenges that the NHS faces in these times. However, one of the most disappointing facets of this debate and of others is that I never hear any new ideas from the Opposition. I never hear those parties propose any options or solutions that will make any difference.

Alex Cole-Hamilton: Will the member take an intervention?

George Adam: I have too much to talk about.

Alex Cole-Hamilton: I can tell him—

George Adam: The member could have said what he wanted to say in his own time.

The Patient Rights (Scotland) Act 2011 created a statutory treatment time guarantee of 12 weeks. Over 1.7 million in-patient and day cases have benefited from the 12-week target since it was introduced, with 90 per cent being seen within 12 weeks. Although that is short of the target, it is still a move in the right direction. As the cabinet secretary has said, the situation will obviously be helped by the recently published £850 million waiting times improvement plan.

Let us take a look at the Scottish NHS. The Scottish Government is committed to delivering the investment to ensure that a reformed NHS is fit for the changing needs of 21st century Scotland. There have been major improvements in public health under our SNP Government, and there has been record health funding. In 2019-20, health and

sport spending will exceed £13.9 billion—up £4 billion under the SNP. Patient satisfaction is also high, with 86 per cent of in-patients rating their experience positively.

I do not associate positivity with the Opposition in debates on the Scottish NHS, but let us continue down that positive road. As everyone has said, the successes in our health service are down to the efforts of those who work in it. That is the most important fact, but the most important people in this debate are the patients themselves.

As a constituency MSP in Paisley, when I get cases of the sort that have been raised today, my first thought is never, “Hold on, I am going to write a strongly worded motion, take it to the chamber and showboat in front of the cameras.” Instead, my first thought is to deal with the issue, get in touch with the health board and represent the people of Paisley as I should. We have to bring this back into the real world and away from the showbiz of the Lib Dems.

The poorest performance by the treatment time guarantee was in quarter 4 last year, at 72.7 per cent. The cabinet secretary has apologised and ensured that there is a robust plan to avoid such figures in the future. That is what government is all about—seeing an issue and ensuring that a plan is put in place to do something about it.

The waiting times improvement plan, which came out on 23 October 2018, ensures that we will continue to have improved access to high-quality care. The immediate focus of the improvement plan is on reducing waiting times for patients whose treatment is urgent. Initial funding for health boards will go to improving performance through the recruitment of additional nursing staff, the provision of new equipment and better staffing over the important weekend period. There is also the offer of time for people to get involved over the weekends and in evening clinics.

An important aspect of the improvement plan is that it includes £535 million in front-line spending and around £120 million in capital spending.

In this debate, we should be positive about our NHS and about the on-going work. However, first and foremost, I ask everyone in the chamber to show me their ideas and tell me what they would do differently.

15:31

David Stewart (Highlands and Islands) (Lab): This has been an excellent debate on a vital issue, and I thank members from across the chamber for their insightful, knowledgeable and strongly felt contributions. I was particularly shocked by the contribution from George Adam, in which he said

that he never showboats in the chamber—well, that is news to me. [*Laughter.*]

However, I thank the Liberal Democrats for using their initiative to secure this afternoon’s debate. We all know that waiting times are difficult. When a patient is suffering from an illness or an injury, any time between cause or diagnosis and treatment is unwanted; it prolongs the pain as well as adding additional stress to mental and physical wellbeing.

Members such as Alex Cole-Hamilton, Monica Lennon, James Kelly, Alison Johnstone and Miles Briggs have illustrated that perfectly by quoting dissatisfied constituents, who felt let down by the system. As we have heard, that system was put in place by the Patient Rights (Scotland) Act 2011, which guaranteed a 12-week treatment time. It allowed hospitals and boards to manage expectations, and for patients to have a known timeframe.

However, we cannot forget that waiting times are not just simple facts and figures—behind every delay in getting an operation or seeing a consultant there is a person, who often has anxieties, pain and stress. I will also give an example. I remember when, many years ago, the then 80-year-old Inverness writer, the late Bette McArdle, came to see me because she had been told that she had to wait 11 months for a relatively simple cataract operation. She said:

“It is vital that we octogenarians are able to lead independent lives and still contribute to society. And it has to be remembered that many are still caring for a partner or family member. Without the basic support of maintaining adequate eyesight we can rapidly become even more dependent on the NHS and care services and cost the state.”

Every statistic holds similar stories. Although I cannot fault NHS Highland for trying to clear the backlog and reduce the waiting time in this individual case, it is concerning that such procedures often have to be outsourced to private companies and other boards at great cost.

There are a number of worrying statistics in Audit Scotland’s 2018 report: not one board was meeting all the key national performance targets; only three boards met the 62-day target for cancer referrals; the number of people on waiting lists continued to increase; and more people waited longer for out-patient and in-patient appointments. A key problem that was identified in the Audit Scotland report was the widespread difficulty in meeting demand, and the impact that that is having on waiting times.

Many members have made the point, which I would like to echo, that front-line NHS staff work tirelessly to try to ensure that staffing issues, lack of resources and underfunding do not compromise patient care. However, they do so in the face of

growing pressure. Although it is important that we acknowledge the hard work that is being put in under tough circumstances by NHS staff across the board, that should not prevent us from expressing concerns.

I also want to flag up, as I have done many times before in the chamber, the issue of life expectancy and the difference between those from deprived areas and those from more affluent areas.

I am conscious of the time, so I will conclude. As we know, the NHS turned 70 last year, and we still have to fight to protect it. Nye Bevan, who is one of my heroes, said:

“discontent arises from a knowledge of the possible, as contrasted with the actual.”

Such debates are frustrating, because we can do much better. This debate has shone a bright light into the dark areas of the NHS. We have a legally binding 12-week treatment time guarantee. Let us try to achieve it.

15:35

Brian Whittle (South Scotland) (Con): I thank the Liberal Democrats for bringing this debate to the chamber.

I am a big believer in setting goals and targets. Before we begin any journey, it is really helpful to know where we are trying to get to. However, the problem for the Scottish Government is that the 12-week target is not an aspiration; it is a legally binding guarantee that has been broken more than 190,000 times—apparently, as Alex Cole-Hamilton said, with no repercussions for the Scottish Government. One wonders what the definition of “legally binding” is in the Government’s eyes.

The Government has suggested that it will reach the legally binding guarantee in 2021, which is a full decade after the Patient Rights (Scotland) Act 2011 was passed. A reasonable goal for the Scottish Government would be to try to return the number of times that the target is missed to the level that it was at when the target was introduced, because—I have to tell George Adam this—the numbers have continued to deteriorate sharply since then.

The Scottish Government cannot lay the blame at anyone else’s door but its own, much as it might try to do so. I do not think that it will hit the target in 2021, and I think that everyone in the chamber knows that it will not. That is just a way of trying to kick the can down the road a bit further until the Government can come up with another line.

The reason why the Scottish Government has not and will not hit its target is quite simple. When one sets a goal, one needs to plan the steps that will help to achieve that goal—the cabinet

secretary said that in her speech. Simply setting a goal will not make it happen. There might be a nice headline at the time, but the goal will not be achieved.

Who in the Scottish Government thought about the implications on the front line of imposing such a goal, and who in the Scottish Government looked at the actions that it would have to take to enable NHS staff to achieve the goal? The answer is quite patently no one. The Scottish Government set a goal without understanding the implications, imposed that goal on our health service, and told it to just get on with it.

The goal itself has been instrumental in creating an environment in which it is impossible for the goal to be met. By holding the NHS to the goals without giving it the tools, technology and resource to help to achieve them, the Scottish Government risks driving behaviour that is not necessarily in the best interests of patient care or healthcare professionals.

The truth is that the increasingly missed 12-week waiting time guarantee is the accumulation of many policy failures. As my colleague Miles Briggs highlighted, the 18-week mental health referrals are constantly breached, and the 62-day cancer urgent referral standards are missed. The lack of competent workforce planning, which Monica Lennon highlighted, and so on all contribute to the SNP Government breaking its own legal commitment more and more each year.

The Scottish Government’s indignation when we have the audacity to point out to it that it has failed to meet its own objectives gets me. That tells us everything that we need to know about it. The Scottish Government will accept the plaudits for setting the targets and legal policy, but it refuses to take the responsibility and the appropriate action when the targets are missed. After 12 years, it is about time that the SNP Government finally looked at itself in the mirror.

15:38

The Minister for Mental Health (Clare Haughey): As with healthcare systems across the world, our NHS in Scotland faces increasing demand and challenges, which require a long-term and sustainable solution. The landscape is very complex, and it calls for open, transparent and constructive debate. Some members’ contributions have been very positive, but some have been extremely lacking.

We regret not being able to discuss further in the debate Alison Johnstone’s call for a national conversation. We would certainly welcome further discussion of that. We also welcome her highlighting the impact of Brexit on our NHS.

I certainly do not recognise some of the figures that Brian Whittle quoted and some of the statements that he made, and I am sorry that I am not important enough to intervene when Edward Mountain is speaking.

The NHS is very much person centred, and it is committed to delivering high-quality healthcare to everyone, every time. The commitments that we have made as a Government will support the delivery of that ambition. However, we should not forget that our NHS delivers a first-class service. Although there are areas that need to improve, such as waiting times, I echo the cabinet secretary's earlier comments and acknowledge the admirable work that is done by our healthcare staff on a daily basis.

Over and above the waiting times plan, we published three new delivery plans at the end of last year that formed the blueprint for the next phase of the mental health strategy.

Miles Briggs: Will the minister take an intervention?

Clare Haughey: I do not have time.

The delivery of our mental health commitments in the programme for government will result in a total additional investment of more than £250 million over the next five years.

Miles Briggs: Will the minister give way on that point? It is a debate.

Clare Haughey: I have too much to say. I am sorry that I cannot take an intervention.

The Government continues to provide support to boards so that they can improve their performance against waiting time standards, and it has invested £54 million to improve recruitment, retention and services. Under this Government, the psychology services workforce has increased by 67 per cent since 2007.

We acted quickly in response to the initial recommendation of the children and young people's mental health task force by committing an additional £4 million, which helped to increase capacity in the workforce by providing about 80 additional CAMHS staff. As our understanding of mental health deepens, our understanding of the support that we should provide changes, too. The answer lies in whole-system approaches that draw in support from across the public sector. Mental health is no longer a health-only issue; it cuts right across our public services. We need to ensure that everyone who is around those who face mental health challenges knows how to listen with a sympathetic ear. We need to build trusting relationships and create the environment that can support honest and supportive conversations about mental health. Reducing and eliminating stigma should be at the core of what we do,

because doing so is necessary if we are to achieve what we want to achieve.

In addition, to ensure that patients are treated in the most appropriate environment for them, we are using technology to support improvement in the provision of primary and secondary clinical care advice. Early indications from the initial pilots show that that is having a positive impact and, ultimately, will support a reduction in waiting times.

The annual operating plans that were introduced last year have been developed to manage performance across the whole system, including financial, quality and safety performance. The plans represent an agreement that sets out how NHS boards will deliver the expected levels of performance that will provide the foundations for delivering the Scottish Government's priorities of improving waiting times, investing in mental health and achieving greater progress and pace in the integration of health and social care. We will use the plans to monitor performance regularly in order to ensure that NHS boards remain on track to deliver the agreed commitments and milestones. Once they are agreed, the plans will be published on the websites of individual boards over the summer.

We will continue to work closely with our healthcare partners across Scotland to improve performance and to deliver our ambition of providing sustainable waiting times.

The Deputy Presiding Officer: I call Alex Cole-Hamilton to close for the Liberal Democrats. Then I will move straight on to the next debate so that we do not waste any time.

15:43

Alex Cole-Hamilton: I am grateful to everyone who contributed to today's debate.

I am sure that I was not the only member who noticed the cabinet secretary and minister visibly crumple when George Adam got to his feet, given that his speech was so adrift from their measured tone. The fact that the speech of a Government chief whip was such an attack piece demonstrates how exposed this particular flank is for the Government.

Nevertheless, I thank the cabinet secretary and the minister for their measured tone and the way in which they have addressed the issue head on. I particularly welcome the unreserved apology that the Government offered—both in the cabinet secretary's remarks and in the Government's amendment—to the hundreds of thousands of patients who have been affected by the breached treatment time guarantee.

I welcome the direction that the cabinet secretary offered by saying that boards should be

directed to be straight and realistic with people from the outset about the time that they should expect to wait. That is not what happens now, and we need to get this right. People are given hints that the 12-week waiting time guarantee might be missed, but people stop reading when they get to line 2, which says that there is a guarantee that people will be seen within 12 weeks. People do not necessarily notice the corollary, in that people are not able to be treated within that time in many cases.

I echo the cabinet secretary's thanks to our hard-working NHS staff. It is always easy to look at Opposition amendments that criticise aspects of the health service and infer that they are some kind of attack on our staff, but they are not—it is not our staff's fault that we are creating false hope among our patients about how long they can expect to wait, and anything that suggests otherwise diminishes the argument.

The cabinet secretary also expressed disappointment that we are not coming forward with solutions. At the very heart of this are the delays around which the debate centres. She asked for solutions, so I will give her one. We need to take the bureaucratic systems of the NHS out of the dark ages. I had a constituent come to see me in my surgery who had been referred to the dental hospital because of suspected oral cancer. She gave me the letter of referral, which contained the astonishing admission at the top of the page that it had been dictated in October 2017 and finally typed up in December 2017. That means that there was a full two-month delay in her receiving potentially life-saving treatment. Take our admin out of the 1970s. Do not leave the content of letters lying around on dictaphones.

I am grateful to Miles Briggs for tying this debate to mental health week. He knows my party's position on that. If a child fell off her bike and broke her arm, she would be in plaster by the end of the day, but if she went to a doctor with anxiety or depression, she could join one of the longest waiting lists in our entire NHS. In some cases, the wait is two years for first-line child and adolescent mental health services. We need to keep saying that, because it is still a national outrage.

Monica Lennon is absolutely right: the guarantee is not worth the paper that it is written on. In her intervention, Clare Haughey did a good job of making that point for her.

It is important to look at the link between the waits and poverty because, in a lot of cases, people are incapacitated by the thing that they need surgery for. If they suddenly have to wait a year, that could be a year out of employment and, potentially, out of sick pay, too.

I thank Monica Lennon for her personal remarks about her mother's experience. We wish her mother well, and a very happy birthday when it comes.

Alison Johnstone and I usually see eye to eye in health debates, but we do not today, which I am disappointed by. She has a problem with the suggestion that the Government write to patients individually, apologising for and explaining the delays to their treatment, given the treatment time guarantee. At this point in time, no accountability exists for the fact that the legally binding guarantee is repeatedly missed. It is fundamental that we address that.

Alison Johnstone: Will the member take an intervention?

Alex Cole-Hamilton: I am afraid that I do not have time.

Mike Rumbles was characteristically positive in talking about his work for his constituents. In speaking up for the north-east, he repeatedly raises the issue of the NRAC reduction in Grampian and the impact that it has had on waiting times in that health board. Each of our health boards has similar tales to tell about the problems that are particular to their region.

Emma Harper tried to suggest that I was somehow saying that contracting in private healthcare was part of the solution. That is not what I was saying at all. I was saying that giving people the facts and allowing them to make different choices if they have the means to do so would help stem the problem—it would relieve pressure on the NHS.

My father needed knee replacement surgery. He was told that he would have to wait 40 weeks. He was in a lot of discomfort but said that he would wait. I said that he could go private if he wanted to, but he said, "Oh, but I want to support the NHS." I told him that he would be supporting the NHS by getting off the waiting list and allowing someone else into the system, because he can afford to make that choice. It is about giving people the facts and allowing them to make different choices.

Edward Mountain was right to say that sorry is not enough and that we need to change behaviours. That starts with removing the suggestion that someone will be seen within 12 weeks. We need to reform the inadequate correspondence. He was also correct to point to the psychological pressure that that puts on staff.

Finally, I want to address George Adam's attack speech, which I found disappointing. There are some very serious issues here, which affect constituents in every constituency represented in this Parliament. He diminished his argument with his speech. Parliament's job is to hold the

Government's feet to the fire. If we do not do that—if we are prevented from doing that—what is the point of having a Parliament?

Hundreds of thousands of patients are looking to this Parliament to be straight with them and to their health boards to be straight with them about the time that they can expect to wait. We should answer that call.

Education

The Deputy Presiding Officer (Christine Grahame): The next item of business is a debate on motion S5M-17280, in the name of Tavish Scott, on education.

15:49

Tavish Scott (Shetland Islands) (LD): We are debating education on the 20th anniversary of the Scottish Parliament, after 12 years of Scottish National Party Government and four years on from the First Minister's speech saying that education policy is number 1. Why do teachers, parents and young people see little evidence that education is the Government's main reason for being in office? The perpetual siren of independence has not been switched off and now, because—irony of ironies—school pupils went on strike, we are in the midst of a climate change crisis. If the Government wants to demonstrate that what happens in schools, college workshops and university lecture halls really is its main priority, it should start by leading an annual debate on Scottish education here, in the nation's Parliament, which is the voice of the Scottish people.

Parliament has listened to 23 education statements since 2016, but we have had no substantial debate on Scottish education. The Government has had debates on mainstreaming and on the growing of long grass, which is better known by some as educational governance. Once a year, the education secretary should set out the Government's educational approach and future plans and, crucially, the funding to make those happen.

I do not argue that only money matters in schools, but, as all members know, an ability to deliver for young people and their future depends on adequate resources in every classroom and lecture hall across Scotland. The Government's school spending direction is clear. The introduction of the attainment fund circumvents school spending decisions by local government. In effect, the Government is saying that it does not trust councils to tackle attainment, otherwise why have the attainment fund? There is now direct funding from central Government based on mechanisms that we know do not reflect poverty and deprivation in many parts of Scotland. Far from there being a historic concordat with Scotland's councils, local government now believes that there is a we-know-best approach in Edinburgh.

To know best is, of course, to have the evidence. The Government wants to attack the educational attainment gap and to close it, which is an admirable objective. What evidence on literacy and numeracy did the First Minister cite in

her Wester Hailes education speech to justify those new funding routes and the reintroduction of Michael Forsyth's school testing programme? She cited at some length the Scottish survey of literacy and numeracy, but what did the Government then do? It abolished that survey, which many found to be somewhat extraordinary.

The Government now concedes that there will be a five-year data gap before comparable evidence on what is happening in Scottish education is available. How we can say that we want to close a gap that we cannot measure with data that we do not have is somewhat beyond me. Some cynics believe that having no comparable education data until after the Scottish elections suits Government rather well, but I am no cynic. Holyrood's Education and Skills Committee recommends, on a cross-party basis, the reintroduction of an expanded Scottish survey of literacy and numeracy. Perhaps the Government will listen to that sensible suggestion.

The jury is out on the attainment fund, given that 43,193 primary school pupils are today being taught in classes of 31 or more, which is 12,000 more children than in 2012. If we want to know about the reality of ever-larger class sizes, we need only ask any primary teacher. The SNP used to have a commitment to reduce primary school class sizes, and it was absolutely right about that, so it is unfortunate that that sensible approach has been abandoned.

The jury is also out on the attainment fund, given that there are 1,000 fewer English and mathematics teachers in Scotland's schools than there were in 2008 and 400 fewer specialist additional support needs teachers than there were four years ago, and given that, for the first time that I can remember, Shetland cannot recruit a primary school teacher. Every part of Scotland faces similar financial pressures.

The Government's other main financial initiative is the pupil equity fund, but 40 per cent was unspent in the previous financial year and 1,000 teachers are now on one-year contracts using the pupil equity fund. There is no money for school curriculum specialists, community and youth work staff and the administrative staff who used to do their level best to reduce the bureaucracy that teachers still face. How is that approach, which has been forced on schools and councils by central Government, a long-term and sustained commitment to education? How is it a partnership with all those who have responsibility for improving standards and giving young people the best chance for their future?

I will continue to argue for curriculum for excellence. It is the right approach and a long-term change in how Scotland's schools operate. However, change is needed in defining what

parents and pupils expect from curriculum for excellence. On that, this Government, which has been in power for 12 years, has not succeeded. Why else would the general secretary of Scotland's biggest teaching union tell members of this Parliament that the senior phase in our schools does not have clarity of purpose?

No wonder parents question why policy is to restrict the educational choice of their daughters and sons. Why does East Renfrewshire Council, as it explained to members this morning, deliver eight subject choices, which it thinks is in the best interests of its pupils, when that does not happen elsewhere?

Parents wonder why their young people are being taught to different exams, through the increasingly prevalent practice of teaching highers and advanced highers in one classroom.

Parents wonder why the number of pupils who are sitting higher computing science in 2018 is lower than it was in the previous year, when the economic needs of the country in that regard are so manifest.

Parents wonder why the number of young people who take music, art and a modern language all the way through school is falling. In a world in which we are about to be plucked out of the European Union and will need more of our people to speak a foreign language, as negotiations overseas affect more parts and industries of Scotland than ever before, is it not right that modern language teaching should be going forwards, not backwards?

Most parents are none the wiser as to why their five-year-old boys and girls are being tested in primary 1. Why are P1s being tested? Because the Government has changed its tune on reintroducing school testing, having been resolutely opposed to testing before 2016. No parents were asked about P1 testing. Indeed, no one was asked about the testing regime—it was imposed by central Government.

Working mums and dads know how important childcare from 8 am to 6 pm is. The Government is rightly investing in early learning expansion, but investment simply must go hand in hand with wraparound care. As a mum put it to me last week, she would rather keep the current hours at nursery school and her pre and post-work childcare in the private sector than take advantage of expanded childcare at school that does not cover her working day. The policy needs to be joined up. Private sector childcare services are closing across Scotland. We need the sector to flourish, not collapse.

All those questions are reasons why the Organisation for Economic Co-operation and Development, which is much cited by

Government, called for a mid-term review of curriculum for excellence. It did not suggest that curriculum for excellence be ripped up or changed for the sake of change; it called for a review to address what is working and what is not working—a hard-nosed educational assessment of where Scottish education is.

The Parliament endorsed that sensible approach, and I hope that the Government will today set out a plan to make it happen. It would be welcome if the Government started to accept and implement the Parliament's view when a democratic verdict has been reached.

The former United States President, Woodrow Wilson, once observed that for a legislature, vigilant oversight is just as important as legislation. Although a legislative sword of Damocles still hangs over local councils, I do not think that this Government is going to take an education bill through this parliamentary session. Oversight of Government policy is therefore about what ministers do and say, and—crucially—about what they spend.

I ask the Parliament to approve of a Government that wants to make education its single most important purpose, with such a purpose going hand in hand with the resources—the money in schools, colleges and universities—to make it a reality. The Government's facts do not support that position.

I move,

That the Parliament believes that there is no more important investment than in the education of Scotland's young people; recalls that the First Minister said that education would be her administration's number one priority, but believes that this has not been reflected in its focus, policies, staff conditions, recruitment and retention, or the means of measurement of Scottish education.

15:58

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Let me begin by setting out the areas on which I agree with Tavish Scott. I agree that education is the central purpose of this Government. It is the purpose on which our policy programme is anchored in this parliamentary session, with our determination to close the poverty-related attainment gap.

I also agree with Tavish Scott on the importance of curriculum for excellence and I welcome constructive discussion about how we enhance curriculum for excellence and ensure that it is the right curricular choice. I recently attended the international summit of the teaching profession, in Finland, with the general secretary of the Educational Institute of Scotland, and we were both struck by the admiration that was expressed

internationally for the reforms that we undertook in Scotland—long before I became education secretary—to implement curriculum for excellence as a curriculum that is relevant to and valid for the needs of young people in the 21st century, as it should be.

I welcome the suggestion about an annual debate on education. The Government might well have such a debate, to ensure that there is the opportunity to reflect on broader trends in performance in education and on some of the challenges that we face.

Where I part company with Mr Scott is on some of his questions about funding for education. Across early learning, school education, college and further education provision and university funding, we find rising expenditure under this Government.

Iain Gray (East Lothian) (Lab): Will the cabinet secretary give way?

John Swinney: I ask Mr Gray to forgive me.

We also see funding being targeted directly to individual schools through pupil equity funding. I hear the criticisms that Mr Scott has levelled at pupil equity funding. I saw a fantastic example of it this morning at Hermitage Park primary school in Edinburgh. Pupil equity funding is unleashing in our schools creativity and innovation that is enhancing the education of young people in Scotland.

Oliver Mundell (Dumfriesshire) (Con): Will the cabinet secretary give way?

John Swinney: I had better give way to Mr Gray first.

Iain Gray: Mr Swinney must know that Universities Scotland tells us that its funding is 11 per cent lower than it was just a few years ago. How can what he has just said possibly be true?

John Swinney: It is true because rising levels of total resource are going into the university sector.

I will now give way to Mr Mundell.

Oliver Mundell: I hear what the cabinet secretary says about pupil equity funding. Does he recognise that there is still a problem for small schools in my constituency, many of which receive no PEF whatsoever?

John Swinney: PEF reaches 95 per cent of schools in Scotland. I appreciate that there are challenges around the distribution mechanism, and my officials are engaged with local authorities to find another way of ensuring that we spread that funding and support even further.

I was surprised to see that, in Mr Scott's motion, which refers to

"staff conditions, recruitment and retention",

he made no reference whatsoever to the pay deal that we have negotiated with Scotland's teaching professional associations that resulted in a 13 per cent increase for all teachers as a minimum over a three-year period. There is not a single mention of it.

One of the challenges that we have faced with the recruitment and retention of teachers has been that ministers, including me as the finance minister, have had to apply public sector pay constraints. Why did we have to apply those public sector pay constraints? We had to apply them because of the austerity that was created by the Liberal and Conservative Government after 2010. If we are going to have a complete debate about this, let us have a complete debate about it.

We have been able to make progress on teacher numbers. We now have the highest number of teachers in our classrooms since 2010. However, one of the issues that troubles our teachers is the provision for additional support needs in our schools. I welcome the interest in that subject from the Education and Skills Committee, and I am writing to the convener to set out the Government's response to the committee's work.

Part of that response is that the Government is preparing to undertake a review of co-ordinated support plans. I know that Ross Greer has raised that in the committee and I do not doubt that he will cover it during today's debate. We will consider how to strengthen the guidance and other support that is available to education authorities on co-ordinated support plans, and we will develop that work in partnership with stakeholders to ensure that, in every respect, we are meeting the needs of every pupil in our country.

One of the most important things that we have to focus on is what is achieved by our learners, and this relates directly to the Education and Skills Committee's inquiry, which is under way. Our learners are achieving more in Scottish education. They are going on to better destinations than they have ever gone on to before, with more than 94 per cent of young people going to a positive destination within three months of leaving school. That is the outcome—

Johann Lamont (Glasgow) (Lab): Will the cabinet secretary give way?

John Swinney: If Johann Lamont will forgive me, I will give way to her during my closing remarks.

Those positive destinations are at a record level because of the appropriateness and the value of

the curricular approach that is being taken to support young people in Scottish education. I welcome the progress that is being made. At the heart of the Government's agenda is an unrelenting focus on closing the poverty-related attainment gap through the pursuit of excellence and equity for all. That is what founds the Government's education policy and the consistent direction that we are taking to deliver for education in Scotland.

We aim to do that by empowering the teaching profession and encouraging teachers to operate with a sense of professional agency, supported by professional development. All the mechanisms to allow that to happen are being put in place in Scottish education.

I look forward to a debate that focuses on what we can achieve to transform the lives of young people in Scotland through the power of education.

I move amendment S5M-17280.2, to leave out from " , but believes" to end and insert:

" ; welcomes the recent agreement reached by professional associations, local government and the Scottish Government to provide an increase in teacher pay; believes that improved pay is an important element in the attractiveness of the teaching profession, as part of a wider strategy to address recruitment and retention problems; further believes that teachers' professionalism should be supported through improved career-long professional learning, clear professional ownership of their own curricular role and a shared leadership role within a collegiate approach to Scotland's schools; recognises the challenge represented by the increasing need for additional support, and agrees that the Scottish Government will review the use of coordinated support plans to ensure that young people with the most significant additional needs are receiving the support that they require."

16:04

Iain Gray (East Lothian) (Lab): It is worth going back to what the First Minister said, when she started in office, about education being a priority. Key interventions were mentioned in her first-person piece in the *Daily Record* in May 2015 and in a speech, to which Tavish Scott referred, given at Wester Hailes education centre in August that year. The *Daily Record* piece was where the First Minister said:

"I have a sacred responsibility ... to make sure every young person in our land gets the same chance I had".

She also said there that

"making sure the Scottish education system becomes, genuinely, one of the best in the world will be a driving and defining priority of my Government."

In her speech at the WHEC, she told us that she wanted to close the attainment gap completely. We are therefore entitled to ask, four years later, how that is going.

In the *Daily Record*, the First Minister made much of the fact that fewer young people were leaving school with no qualifications at all. However, four years on, that trend has reversed and now more young people leave school with nothing at all. The numbers are small, but they matter just as much as the numbers of those who get five highers. I know that the Government will say that the young people move on to positive destinations, but as long as those include exploitative zero-hours work, that is not an acceptable answer.

Meanwhile, the evidence shows that the curriculum in our schools is narrowing, with some subjects in danger of disappearing altogether. I do not know whether the First Minister studied French, German or art in S4; she might have, but today's pupils are very much in danger of not having the same opportunities that she had. As for those who go on to highers, yes, more of them are achieving five highers, but teachers and educationalists tell us that most of that progress came before the new national exams were introduced and that choices are now narrowing at higher level too, pass rates are falling and there is a significant decline, to which Mr Scott referred, in the numbers of those gaining highers in critical subjects like modern languages or science, technology, engineering and mathematics subjects.

Back in 2015, the First Minister promised to invest in teacher numbers, announced funding to close the attainment gap and said that she was going to track progress with new standardised tests. However, four years later, there are still 3,000 fewer teachers than we had 12 years ago. Mr Scott is right that the increase that we have seen of around 1,000 teachers has been funded through attainment money and that most of those jobs are temporary contracts.

As for the standardised tests, what a shambles those have been. The education secretary tells us that they are not meant to provide national data at all, while teachers tell us that they provide no useful information to them. Meanwhile, the Government has abolished the measures of attainment that we had, which means that educationalists now tell us that we have no way of measuring attainment in core skills such as literacy and numeracy. After four years, therefore, the Government has left us with no way to judge it on its sacred responsibility, has failed to restore teacher numbers and is presiding over a narrowing of the curriculum that is seeing the number of young people with no qualifications on the rise.

Our amendment points to the core problem, which has not been addressed: since 2010-11, spending per primary pupil has fallen by £427 and

in secondary it has fallen by £265 per pupil. We must be clear that our teachers are doing a great job and that our pupils do us proud. However, they do that in the face of less money, fewer teachers, bigger classes and multilevel teaching; in the context of unwanted and unnecessary reforms; and, above all, in the face of cuts to core budgets. The additional funding that was designed to close the attainment gap now has to be used to fill funding gaps instead of narrowing the attainment gap.

Our schools are certainly not failing, but that is despite and not because of this Government's education policy, which certainly is failing.

I move amendment S5M-17280.1, after "retention," to insert:

"and budget decisions, especially with regard to the funding of local government,".

16:10

Liz Smith (Mid Scotland and Fife) (Con): The 2015 OECD report that examined Scottish schools said some very interesting things, and it is in that context that I will address Tavish Scott's motion, which the Scottish Conservatives will support. The report made plain just why investment in education is important, why Scotland has so much potential and strength in its underlying ethos—that is, why there are so many good things in Scottish education—but also why, as yet, we are not able to fully harness that potential.

I do not doubt for a minute the very genuine desire across this chamber—that, of course, includes the cabinet secretary—to deliver the highest standards for our young people, but it seems abundantly clear that several key things are getting in the way of the SNP's approach to fulfilling that promise.

The OECD report acknowledges that, when educational reform is introduced, things cannot be expected to turn around overnight, hence why it would not have been sensible to evaluate CFE in the first few years of implementation. However, the report goes on to say that the mid-term evaluation of CFE is crucial and the OECD worries that Scotland is not sufficiently data rich—for exactly the reasons that Iain Gray set out—when it comes to the measurement of progress. Of course, that makes it all the more surprising that the Scottish Government wanted to remove Scotland from other helpful international data. We cannot go on hoping that things will turn around when we know that there are fundamental flaws with accuracy of measurement.

It is surely urgent to comprehensively review CFE—not its principles, but its structures. If that does not happen soon, its whole *raison d'être* will

be called into question and, as Tavish Scott rightly said, nobody wants that.

The OECD makes the point strongly that

“A priority area for evaluation is to follow closely how CfE is being implemented on the ground”.

I think that it is very fair to say that the inquiries led by the Education and Skills Committee on attainment and subject choice have thrown up considerable concern from the ground about the implementation of CFE.

I will give two examples. First, in the debate about P1 testing, considerable concern was expressed about whether the purpose of that testing was clear and whether it was formative or summative. The cabinet secretary seemed to muddy the waters on the issue when he gave evidence to the committee on 20 February. It is that lack of clarity and unwillingness to respect some of Parliament’s concerns that led to further confusion over the P1 tests.

Secondly, on subject choice, the real problem that has been flagged up is the complete disconnect between the broad general education and the senior phase. It seems that each has been designed by a different agency, which has resulted in a lack of accountability. To some extent, I think that schools and local authorities have become confused about their roles. The cabinet secretary said in the previous debate on subject choice that there is a tension between CFE allowing schools autonomy and the adherence to national standards. I think that he has a point, but they are not and should not be incompatible when it comes to the curriculum.

John Swinney: Liz Smith alights on a point that I simply find difficult to comprehend about the Conservative’s stance. The Conservatives have long argued—I respect their point of view—for there to be diversity and choice in the decisions that are made at school level. However, she seems to be proffering the argument that there should be more central direction to that than there has been up until now. Will she clarify where the Conservatives are on that issue?

Liz Smith: Yes, I absolutely will, cabinet secretary. That is the same question that you asked in the previous debate, which I answered. I fundamentally believe in a core curriculum that includes what we traditionally see as the core subjects, and we should build the flexibility that CFE is designed to have around those core subjects. I think that many schools have come to agree on that approach. That is the whole debate about the column structure. There is no reason why we cannot have that core curriculum and the flexibility that is required for the new subjects and skills that have been developed. I do not see that

those things are incompatible and I think that many schools do not see that either.

Scotland is renowned for the breadth of its curriculum. In the past, youngsters had to study English, maths and one subject in each of the disciplines of science, social science and modern languages. At the moment, we seem to be squeezing some of the ability to choose subjects.

That is the concern. As Tavish Scott rightly said at the Education and Skills Committee this morning, we have not had an answer about how that squeeze benefits young people, because the experience is completely different in different local authorities. I will conclude on that point: the central problem with the curriculum for excellence is the disconnect between broad general education and the senior phase.

16:15

Ross Greer (West Scotland) (Green): Like colleagues, I am grateful to Tavish Scott for bringing a debate on education before Parliament this afternoon.

It is a continuing frustration for many of us that education is rarely something that we discuss on Government time, which means that Opposition parties must use our sparse opportunities to bring up one of the most important public policy issues in Scotland.

It is important not least because education is one of the many areas where the shameful levels of inequality in our society are on display. We all believe that every young person should be given the same opportunities to succeed, but we know that that is not the case in this country. Pupils from wealthier areas are more likely to succeed, both by academic measures and in wider life outcomes, than their counterparts from more deprived communities.

Many of the underlying reasons for that lie outwith our schools and at the feet of the United Kingdom Government. Child poverty is growing again, largely because of a cruel UK welfare system that is designed to punish rather than support. However, the Scottish Government is not powerless. It has the capacity to do something genuinely transformative.

As the Greens set out last year in our paper “Level the Playing Field: Education for All”, policies such as topping up child benefit by £5 per week or extending free bus travel to young people will have a huge impact on their educational outcomes. We know that from experience elsewhere. The Government wasted the first half of this parliamentary session on an education governance bill that was destined to go nowhere.

Now that that has been indefinitely shelved, there is time to do something much more meaningful.

In Scotland today, there are about 3,000 fewer teachers than there were in 2007. The challenges of recruitment and retention are disproportionately felt by schools in our most deprived communities and, in large part, are driven by issues of pay and workload. I marched with the EIS in Glasgow when it brought close to 30,000 people on to the streets for its fair pay campaign. The Greens welcome the agreement that was reached between unions, councils and the Scottish Government.

However, pay and recruitment are not the only issues. Time and again, we are told of the huge issues that face young people with additional support needs and those who are trying to provide that support. The number of pupils with identified additional support needs has risen to one in four, while the number of ASN teachers and support staff has fallen by hundreds. Now the staff census is merging additional support needs and classroom assistants into one generalised category, which makes it near impossible to get an accurate picture of the number of specialist staff who support children with additional needs.

Children with those needs have statutory rights but, for young people, their parents and carers and for schools and local authorities, the framework can be difficult to navigate. Our Education and Skills Committee has taken evidence on local councils not fully understanding what is required of them or what options are available to them.

Co-ordinated support plans are critical and they are where much of the confusion lies. The plans set out clearly what support pupils with particularly profound needs should receive. Crucially, as the only statutory plan, they are backed by recourse to the Additional Support Needs Tribunal for Scotland. We are not short of testimonials from young people and parents who have gone through experiences that are nothing short of traumatic but who, for the lack of a CSP, have had little opportunity for recourse. Although the number of pupils identified with an additional need has increased to almost 200,000, the number of CSPs has dropped to just under 2,000. That means that only 1 per cent of young people with identified additional needs have a co-ordinated support plan.

Anecdotally, it seems that, when councils do understand CSPs, they are reluctant to use them, given the resource implications. Although the anecdotal evidence is substantial, we need quite urgently to get a picture of what is going on. We have called for that in the Parliament on a number of occasions, so we welcome the Government's commitment to review the use of CSPs. We expect the review to establish why the number of plans has fallen at the same time as the number of

young people with diagnosed additional needs has grown markedly. We expect the Government to immediately follow the review with action to rectify the problem.

Addressing CSPs alone will not fix every problem in the education system, but it is the right thing to do and we have asked for it, so the Greens will vote for the amendment. It is a step forward for the rights of some of our most vulnerable young people and I am glad that the debate has given us the opportunity to take that step. I hope that the Scottish Government will recognise the need and the demand for it to go much further.

16:19

Liam McArthur (Orkney Islands) (LD): Four years ago, like Liz Smith, I was a member of this Parliament's Education and Culture Committee. Since then, the committee has gained in skills what, in remit at least, it appears to have lost in culture. However, what remains unchanged is the controversy and confusion that surrounds the SNP Government's national standardised assessments. Given their origins in the Education (Scotland) Act 2016, I do not find that at all surprising. Bounced by the First Minister's announcement that education was to be her number 1 priority and that the attainment gap would be closed "completely", the then Cabinet Secretary for Education and Skills, Angela Constance, had to come up with a cunning plan.

In response, a national improvement framework was put on a statutory footing, paving the way for the reintroduction of national standardised tests. That was news to gladden the heart of Michael Forsyth, perhaps, but certainly not what teachers, parents and other stakeholders had been insisting to the Education and Skills Committee was required to address gaps in attainment.

To make matters worse, the committee was given no detail about the framework or the tests. It was a classic pig in a poke, and the story kept changing. Faced with compelling evidence that teachers already had a wealth of information on which to base assessments and tailor learning for pupils, SNP ministers claimed that it was no good because it was not standardised. When it was suggested that national standardisation would inevitably lead to league tables, ministers retorted that data would not be available at school or local authority level, begging the question: what is the point?

No one disputes the importance of tackling attainment, but, as Children in Scotland observed at the time,

"the educational inequalities that stem from socio-economic disadvantage are complex and multifaceted".

Children in Scotland accused ministers of reducing “a complex set of issues ... to an easily identifiable slogan with the hope that these issues will be amenable to equally short-term solutions”.

Such a damning conclusion echoed earlier criticism from Keir Bloomer, who labelled the Government’s approach

“pious thinking masquerading as policy making”—[*Official Report, Education and Culture Committee*, 9 June 2015; c 20.]

Roll forward four years and, as I say, the confusion surrounding—and at the heart of—the SNP Government’s approach to national standardised testing appears only to have deepened. Parliament has, of course, voted to halt the testing of P1 pupils. Despite that, Mr Swinney has simply ignored the will of Parliament, and 11,500 P1 tests have taken place in schools across Scotland in this academic year.

As for the justification for the tests, the story keeps changing and history keeps being rewritten. In their desperation to retrofit a case for national standardised testing, ministers have even gone so far as to shamefully misrepresent the views of international educational experts. It was claimed that Dylan Wiliam, professor of educational assessment at University College London, and Professor Popham of the University of California, Los Angeles, were supporters of regimes like the SNP’s testing proposals. Professor Wiliam called that a “perverse misrepresentation” of his work, while Professor Popham insisted that it was “flat-out incorrect”. In attempting a clumsy apology, the First Minister made matters worse by questioning Professor Wiliam’s understanding of formative assessment.

After all the ducking and diving, where has that left us? As Iain Gray observed—rightly, in my view—certainly no nearer to closing gaps in attainment, far less closing them completely. As *The Times Educational Supplement* concluded earlier this year,

“Scotland does not have a standardised testing regime, it just has a badly named national literacy and numeracy test that is costing millions.”

Whatever the tests now are, they do not command the confidence of teachers, parents, children or academic experts, and they should be dropped. I support the motion.

16:23

Jenny Gilruth (Mid Fife and Glenrothes) (SNP): I was going to start by saying that, perhaps for the first time in his life, Tavish Scott is right. However, I found his speech rather depressing. Nonetheless, his motion states that

“there is no more important investment than in the education of Scotland’s young people”.

They are the future of this country—on that point, he is right—and, unless we have an education system that ensures that they all have the same opportunities to succeed in life, irrespective of which party is in Government, we will all have failed them.

Today’s motion questions the Government’s focus, mentioning its

“policies, staff conditions, recruitment and retention, or the means of measurement of Scottish education.”

I do not want to be the pupil who blames the question, but a bit more focus and a full debate might have allowed us to make more progress today.

I am sure that, as the cabinet secretary said, we all welcome the recently agreed teachers’ pay settlement. The enhanced pay deal means that an unpromoted teacher will now earn more than £41,000 a year. The deal means that we avoided industrial action and that our children’s education did not suffer, and it also secured a commitment to tackle workload, to support teacher professional development and to enhance leadership.

On the subject of workload, I recall that, when the original pay deal was rejected, I was in a pub with two of my good friends and former teaching colleagues, both of whom had voted to accept that deal. Neither is an SNP voter. What can I say? I attract such people. However, both were of the view that the difficulty with the deal was not just the money that was on the table; their growing concern was about their workload in relation to children with additional support needs. For that reason, I very much welcome the fact that the Government’s amendment contains a commitment to review the use of co-ordinated support plans. We know that additional support needs are increasing and that that is partly because we now have a system that is better equipped to identify them.

Oliver Mundell (Dumfriesshire) (Con): Will the member take an intervention?

Jenny Gilruth: I will in a second.

Although all teachers should have a baseline understanding of ASN from either their postgraduate or BEd qualifications, all young people should be receiving the support that they need, and their parents or carers should not have to challenge education authorities to ensure that that happens.

I will take Mr Mundell’s intervention now.

Oliver Mundell: Will Ms Gilruth clarify when the issue of additional support needs was suddenly bumped up the Government’s agenda? Why has it

taken until today for it to recognise that there is a problem?

Jenny Gilruth: I do not accept Oliver Mundell's point. The Education and Skills Committee has already carried out an inquiry into the issue, so I am not sure why he thinks that it has not been on the Government's agenda.

I turn to teacher retention. On previous occasions in the chamber, I have highlighted my own frustrations about the lack of power that I had, as a faculty head, to appoint staff because I had to take someone on as "surplus". Even when a permanent appointment could be made, I was not able to interview candidates. That is why teacher empowerment is so important.

In Scotland, we are now moving from a top-down system—from the local authority level—to a collegiate one that focuses on teacher agency. That is exactly what the Education and Skills Committee heard in the evidence that was given at its meeting this morning. Part of that shift will be supported by regional improvement collaboratives, but the rest must come from the profession. Opportunities for continuing professional development will be vital in that respect, and local authorities must also play their part. For example, in 2011, I undertook a qualification through the University of Dundee to obtain credits in history and so become qualified to teach two subjects. My then employer, the City of Edinburgh Council, part-funded that qualification as an investment in me as an aspiring faculty head, and that meant that I was retained, because my opportunities to develop were not curtailed.

On the other hand, we also need to look at the practicalities of timetabling CPD opportunities. I well recall that, at about this time eight years ago, at the same time as I had lead responsibility for organising our school's annual S3 trip to London, I was knee deep in marking for Scottish Qualifications Authority exams and had to complete a history assignment. Creating opportunities that allow staff to flourish, particularly in secondary teaching, depends largely on timetabling those opportunities appropriately. As my fellow secondary teachers will know, teaching staff have always regarded the month of May as an excellent time in the school calendar. Pupils are on study leave, so May means that staff have a chance to catch up and plan for the year ahead—that they have time.

We must also discuss progression pathways for teachers. Last week, the Education and Skills Committee heard evidence about the faculty structure narrowing promotional opportunities for classroom teachers. Although pay is undoubtedly important, if we want to retain talent, we must give folk somewhere to go. We have pupil pathways, so what about having pathways for teachers?

Time is short, so I will conclude by quoting Professor Andy Hargreaves, who, earlier this year, told the Education and Skills Committee about the importance of stability of government when committing to deliver educational reform. He said:

"Singapore does not have a democracy as we would understand it and so has complete stability of government ... we can get such stability through cross-party agreement and consensus that education is above political infighting—that is pretty much what there is in Finland. In that respect, I urge you not to be like Singapore but perhaps to be a little more like Finland."—[*Official Report, Education and Skills Committee*, 30 January 2019; c 16.]

Perhaps today's debate is an opportunity to do just that and to put the pedagogy above the politics. We can but hope.

16:28

Alison Harris (Central Scotland) (Con): Here we are again. We are only two weeks into the month of May, and this is the second debate on education to have been led by Opposition parties in those 14 days.

I want to be very clear to the Scottish Government on one point. Scottish Conservatives' position on this issue is not about political opportunism, as the SNP is fond of saying; parties across the chamber are genuinely and seriously concerned about the current state of Scottish education.

Stakeholders from all walks of life, as well as members of the Scottish Parliament, have highlighted the various ways in which our education system is deteriorating. Some examples of that are Scotland's performance in the international programme for international student assessment—PISA—results continually declining under the SNP; teacher numbers having fallen by more than 3,100 since 2007-08; public opinion ratings of Scotland's schools being at record low levels; and the narrowing of subject choices for children entering S4.

Last week, the Education and Skills Committee heard from Larry Flanagan, the head of the largest teaching union in Scotland, who talked of an "explosion" in multilevel teaching since the introduction of curriculum for excellence. The combined class method of teaching is not ideal and has had a negative effect on everyone. One thing that could have begun to turn things around was the SNP's flagship education bill, but that was scrapped just before the recess last summer.

Well, the Government may have scrapped the bill, but it has not scrapped the problems. The Education and Skills Committee has recently heard evidence from several stakeholders on the reduction in subject choice. In last week's session, Francisco Valdera-Gil, from the Scottish Council of

Deans of Education, pointed out that the reduction in subject choice is having knock-on effects on modern languages. He said:

"In 2011 and 2012, there were 28,000 students doing standard grade French and we have 6,000 or 7,000 now."—[*Official Report, Education and Skills Committee*, 8 May 2019; c 25.]

Jenny Gilruth: Will the member take an intervention?

Alison Harris: No. I am sorry. I have only four minutes.

That is approximately a 75 per cent drop, which is incredible. However, when faced with those facts, the SNP reverts to denial tactics.

Jenny Gilruth: Taking modern languages is no longer compulsory to S4.

Alison Harris: I am sorry—could you please be quiet, Ms Gilruth? I am not taking interjections from you.

We have heard the First Minister refuse to answer questions on subject choice from across the benches and instead point to statistics on higher attainment. Of course, we welcome improvements in attainment, but to say that reduced choice, fewer teachers, the death of some subjects at school and a fall against international standards is somehow okay because current pupils are getting more highers is to completely miss the point.

If, as the First Minister likes to say, the evidence from our education system does not bear out the analysis that we have brought to the chamber, why are teachers, classroom assistants, parents and education experts from far and wide saying that there is a problem with our current education system? I am not an educationist, a professor, a teacher or, indeed, an ex-teacher, but when Marjorie Kerr, the president of the Scottish Association of Geography Teachers, says that S1 to S3 was heavily planned for in the new curriculum but S4 to S6 were a rushed afterthought, we must accept that we need change.

Scotland's education system is no longer world class. We are letting Scottish children down. We need to come together, face facts and get on with fixing the problems.

16:32

Johann Lamont (Glasgow) (Lab): I welcome the opportunity to participate in this debate. Anybody who knows me knows that, at my very core, I want to build consensus. I want people to agree with one another, but I say to Jenny Gilruth that she cannot, on the one hand, ask for cross-party consensus and the building of agreement

while, on the other, impugning the motives of those who look at the evidence and express concerns. When people look at the evidence and see that something needs to be done, it is unacceptable for others to say, "You're only saying that because—". I agree with Jenny Gilruth that Tavish Scott's speech was depressing. It identified the challenges that we face in the education system and the First Minister's failure so far to live up to her ambition, but saying that it was depressing is not an attack on Tavish Scott. His speech was a call for us to recognise the scale of the challenge that is ahead of us.

I say to John Swinney that I recognise the constraints that have been placed on his budget by decisions that have been made elsewhere to follow austerity. However, no matter the size of his budget, he has a responsibility for the choices that he makes within it. I simply do not understand why the Government has disproportionately prioritised cuts to local government when it is one of the key drivers for addressing inequality, disadvantage and poverty in our communities.

In the short time that I have, I will highlight multilevel teaching in the senior phase, which is an issue that teachers have flagged up to me directly and one that we have heard evidence on. As has been said, Larry Flanagan of the Educational Institute of Scotland told our committee that there has been an "explosion in multilevel classes". That is obviously a concern. Far from being a rare response to exceptional circumstances, multilevel teaching, which may involve national 4, national 5, higher and advanced higher teaching in one class, may now be the norm. Does the cabinet secretary think that that is acceptable? Does he agree with Education Scotland that it is not an issue, or does he recognise that there is a serious issue here that is about ensuring that all our young people are getting the best possible learning opportunities? Does he agree that common sense tells us that it is much more challenging for staff to teach and for students to learn in those multilevel classes?

Has the cabinet secretary even considered the impact of being in a multilevel class on young people with additional support needs? I particularly want to emphasise the danger of multilevel teaching, which, far from assisting in closing the attainment gap, may be compounding the inequality that is experienced by young people who are already disadvantaged.

Jenny Gilruth: Does the member recognise that multilevel teaching happened previously under standard grade, when foundation, general and credit pupils were in the same class, and under the previous higher structure, when intermediate 2, higher and advanced higher pupils could be in the same class? It is not new.

Johann Lamont: I am asking whether the approach is moving from being something that happened from time to time to something that is timetabled and is the norm. The EIS said that there has been an “explosion in multilevel teaching”, and people are telling us that it is causing more difficulty now than it did in the past.

I ask the Scottish Government to recognise that we are potentially making things more difficult for young people who are already disadvantaged. What quality impact assessment has been done on the acceptance of multilevel teaching by Education Scotland and the decisions at local level to allow its increased use? Has the cabinet secretary looked at the profile of the subjects in which there is more multilevel teaching and at the schools where it is happening? Has he looked at whether there is a connection between multilevel teaching and schools in more deprived areas? My fear is that there is less capacity in our most disadvantaged schools to deliver a range of subjects and more likelihood that young people have to travel away from school to access subjects, and that the reality of multilevel teaching will be disproportionately felt in poorer communities, which are the very areas that need more support, not less.

I seek an assurance from the cabinet secretary that he takes this matter seriously and that he will at least look at the potential benefits of directing resources to schools that would benefit from a different teacher allocation model—one that would reduce the use of multilevel teaching in disadvantaged areas, rather than increase it.

16:37

Gordon MacDonald (Edinburgh Pentlands) (SNP): This is the 20th anniversary of the Scottish Parliament and, in examining our education system, I will highlight what progress has been made over those years.

A good starting point is the Scottish Executive report “Schools for the 21st century: the national debate on education in Scotland”, which was published in 2002 and began the introduction of curriculum for excellence. Back then, 49,500 teachers taught 753,000 pupils in 3,000 schools, so the teacher pupil ratio was 15.2. Today, with 64,000 fewer pupils than in 1999-2000, the teacher pupil ratio has improved to 13.6. We can compare that to the ratio in the rest of the UK, where it is 17.9 in England and 19.5 in Wales. Scotland has the smallest class sizes in the UK.

In 1999, most young people left school in S4 and only 22 per cent of S5 pupils gained three or more highers. Today the majority of young people stay on to fifth and sixth year, resulting in 45 per cent of pupils gaining three or more highers.

Back in 2007, when this Government came to power, only 61 per cent of school buildings were rated good or satisfactory. Today that number is 87 per cent, with 847 schools built or substantially refurbished since 2007-08. In comparison, according to the Royal Institute of British Architects, only 5 per cent of 60,000 school buildings surveyed in England were in top condition, performing as intended and operating efficiently. The report also highlighted separate figures that suggested that almost a quarter of councils in England rated the condition of school buildings in their areas as extremely poor or very poor. Not only are our schools in better condition, we have more of them per 100,000 pupils than anywhere else in the UK; there are 361 schools per 100,000 pupils in Scotland compared with 324 per 100,000 in Wales and only 262 per 100,000 in England.

Teachers’ pay in Scotland is substantially higher for classroom teachers than it is anywhere else in the UK—by as much as £5,000 when teachers reach the top of their scale. That has resulted in 500 more teachers in our schools last year, which continues the trend of there being more teachers every year since 2014, and the highest number of primary school teachers since 1980.

Compared with 20 years ago, we have better pupil teacher ratios, better schools and more of them, and a larger number of pupils leaving school with higher qualifications, giving them the opportunity to study at university. Record numbers of Scots are attending university, with 37,000 studying for a degree at our higher education institutions, including more from our deprived communities.

There is one issue that does not get enough exposure regarding education—or, should I say, the lack of it—in previous years. In 2006-07, under the last Labour-Liberal Democrat Scottish Executive, the number of pupils in Scottish schools who had either been temporarily excluded or been removed from the register was 45,000—that is 45,000 young people who missed out on educational opportunities. To put it in context, 64 out of every 1,000 pupils were excluded from education. Today, that number is down to 27 out of every 1,000. That is still too many, but it is much better than the position south of the border, where 382,000 pupils—50 in every 1,000—were given a temporary exclusion from school.

I will leave the final point to Councillor Stephen McCabe of the Convention of Scottish Local Authorities, who wrote to the Education and Skills Committee this month in response to our inquiry into subject choices. He said:

“It is our view that the way in which local authorities and our schools currently deliver the curriculum represents the

most effective way to achieve equity and excellence in Scottish education.”

16:41

Iain Gray: In 1972, I think, the poet Alexander Scott wrote a sequence of epigrams called “Scotched” in which he described the Scottish version of various things. My favourite is “Scotch Equality”, but it includes a swear word, so I am not going to read it out. Another one is called “Scotch Education”, which simply reads:

“I telt ye
I telt ye.”

There is no way that that describes the pedagogy in our schools nowadays. It is much more sophisticated and better than that now. However, I think that that epigram rather well describes the approach of the Government to education in recent years. It tells us what it is going to do; it tells us that it is working; and it tells us that everything is fine. It imposes its reforms in the face of opposition from pretty much everyone. That was the case with tests, the regional collaborative and the new exams, which were all brought in against the wishes of local authorities, teachers and parents. The Scottish Government often takes the same approach with respect to the Parliament, whose views it has ignored on issues such as primary 1 testing. Tavish Scott is right that that is one of the problems that we have had in recent years.

I accept that, in its amendment, the Government shows a little humility on the issue of additional support needs. Although we welcome that humility, we will not be able to support the Government’s amendment, as it pre-empts ours—I am sure that the cabinet secretary will understand. In any case, it comes late in the day. The figures on additional support needs are remarkable. They show that 81,000 more pupils have been identified as having additional support needs and that there are, as Mr Greer said, around 400 fewer specialist teachers in place. This afternoon, the First Minister has written to the Education and Skills Committee in response to our letter about additional support needs. As far as I can see, what the cabinet secretary is promising as an additional resource is an online resource that has been produced by Education Scotland. That is not a serious response to the concerns that we heard.

On the issue of co-ordinated support plans, yes, we need to see more of them, but we have to understand that they provide legal rights that must then be respected and not disregarded in the way that, for example, legal rights around waiting times in the national health service have been.

We absolutely welcome the teachers’ pay deal, but it is a little rich for Mr Swinney to pose as the

teachers’ friend given that the pay deal was dragged out of him by two years of national campaigning, several mass rallies and the threat of strike action. Ross Greer is absolutely right that, although the pay rise is welcome, workload issues remain to be addressed.

Earlier, I talked a bit about the First Minister’s speech at Wester Hailes education centre. WHEC is a school that I know well. I did a teaching practice there back in the late 1970s and, for four years from 1999, I represented it as the MSP for Edinburgh Pentlands. It is a tremendous school: imaginative, innovative and absolutely at the centre of the community that it serves. It has made enormous progress on the attainment and achievement of its pupils, and the First Minister was quite right to choose to make a keynote, showcase speech there.

The irony is that, only a couple of years after the First Minister made that speech, the SNP-led City of Edinburgh Council planned to close WHEC down and rationalise it by merging it with another school. Only a big campaign by local parents in the community managed to stop that idea, which was very nearly a telling illustration of the gap between the rhetoric and the reality of an underfunded education system under this Government.

16:46

Oliver Mundell (Dumfriesshire) (Con): I thank Tavish Scott for affording us another opportunity to talk about the Government’s so-called number 1 priority. As other members have said, it is just a shame that—once again—the debate is taking place in Opposition time.

As my colleague Liz Smith set out at the beginning of the debate, we will be happy to support the Liberal Democrat motion and the Labour amendment at decision time.

However, we will not, regardless of how consensual its alternative proposed text is, support the SNP Government’s attempt to airbrush out of the motion the challenges that we face. Like Iain Gray, I am pleased that the cabinet secretary recognises the importance of co-ordinated support plans and the significant system-wide shortcomings in delivery of support for pupils who have with additional needs. However, I will perhaps be less charitable in my characterisation, because I do not understand why that could not have been included as an addition to the motion. It is a shame that such an important issue is, in effect, being used as a fig leaf to spare the cabinet secretary’s blushes and to fend off another defeat for the SNP in the chamber.

The Government will not recognise in full the failings in the system. It has been in charge of

education in this country for more than a decade, while the system that is most important for many families and our children is, at best, stagnating and is possibly—according to many experts and many people who care passionately about education—getting worse. I cannot see how a Government that ignores those voices and the many concerns that are expressed, and which continues to bury its head in the sand, can possibly build consensus or turn things around.

The Government issuing restatements of what it should have been doing anyway does not cut it for me, and it does not cut it for parents. Of course, our saying that means that we will be seen as blaming hardworking teachers, speaking in depressing terms and talking our young people down. Of course, the Government's failure to listen and act has absolutely no part to play in the matter: it is there only to take credit when things are going well.

Many members, representing constituencies and regions the length and breadth of Scotland, have expressed their concerns. Some chose to talk about Scotland, while others, even after 20 years of devolution, continued to talk about decisions that are being taken in Westminster. I am sure that people who are listening at home to proceedings will see through that.

It would be remiss of me not to highlight the situation in my local authority, which is jointly run by the SNP. Does the cabinet secretary think that it is acceptable for the administration there to be cutting teacher numbers in the region and enforcing a higher pupil to teacher ratio for composite classes? What does he have to say to parents who now face the prospect of their children being taught in a small rural school, with up to 25 pupils aged from four to 12 in the same classroom? Why, when he claims to be giving more money to education, does he think that the council is claiming that the change is financially necessary? I am deeply concerned that those significant cuts will put the safety of individual teachers and pupils at risk, make the task of recruiting new teachers to work in smaller schools even more difficult, and lead, in effect, to the closure of small rural schools by stealth, over time.

That seems to be worse to me because it contradicts the Scottish Government's own policies and guidelines. It is yet another sign that our system is now under such strain that equity and excellence appear to come second to financial constraints and bureaucracy. Where is the empowerment for headteachers who not only lose out on pupil equity funding—I have raised that point for two years—but now see that existing staff are being removed from their schools by the local authority, without adequate consultation? I would

be really grateful to hear what the cabinet secretary has to say about that.

16:50

John Swinney: Tavish Scott's motion criticises the focus of the Government's education agenda. Ross Greer made the point very strongly that the focus of any education system should be on tackling inequality. I am very proud that that is the focus of the education system that I have responsibility for leading and stewarding. The core focus of any education system must be on tackling inequality where it exists in our society, and ensuring that every young person is able to fulfil their potential.

That is why my predecessors from a number of political parties, including mine, undertook the reforms that led to the creation of curriculum for excellence. CFE relies, of course, on two critical foundations: the broad general education phase and the senior phase of education. I want to take a few moments to talk about the breadth of the curriculum, because that has underpinned the inquiry that the Education and Skills Committee has been undertaking, and a number of members have commented on it.

I do not believe that the broad general education phase narrows the educational opportunities of young people. I totally reject that point of view, because the BGE phase is designed to give young people the opportunity to experience eight curricular areas with breadth and depth of learning that are greater than they were in the broad general education phase when I was educated in the 1970s and 1980s. The debate about narrowing the curriculum ignores that fundamental element of the reforms.

Liz Smith: I accept a lot of that for BGE, but there is narrowing of choice in the senior phase of the curriculum, which is why the Education and Skills Committee is inquiring into the issue, and it is the main concern of many people who have given evidence in that inquiry.

John Swinney: We will, of course, look at all such issues in further detail. However, that question brings me on to the senior phase. There are curricular models that essentially offer young people in individual schools and local authorities the much-criticised six-choice option in S4 which, over a three-year period, gives them 18 options to access senior phase qualifications. That is more options than I had when I was at school, and I took the maximum number of subjects that were available to me. The senior phase should be looked at as a three-year experience, not as a one-year experience in S4.

Tavish Scott: I entirely take the point that the cabinet secretary has just made about the three-

year senior phase, but is not that one of the aspects that could be carefully considered in the OECD review? Parliament considered that last week. In fairness, I point out that the Government accepted that as part of Iain Gray's motion a fortnight or so ago. Could that be addressed in the mid-term review of curriculum for excellence?

John Swinney: That is one of the issues that could be looked at.

That takes us on to the debate about the degree to which there should be autonomy and empowerment at local level to decide on curricular choices, and the degree to which there should be prescription from the centre. That debate has rippled its way through this debate. Parliament knows where I stand on that: I want maximum curricular choice at local level, and I will defend and assert that.

Oliver Mundell: Will the cabinet secretary give way?

John Swinney: No—if Mr Mundell will forgive me, I will not.

That is a central part of the education reforms that I am taking forward. Counter to what Iain Gray said, I say that the reforms are not opposed by everybody. We are, for example, now implementing the education reform agenda relating to empowerment of schools that I agreed with the Convention of Scottish Local Authorities. That implementation agenda is under way, with publication of the headteachers charter, the review of financial mechanisms, and the extension of curricular choice and the staffing choices for schools at local level. All of that agenda is proceeding.

I do not have much time to sum up the debate, but let me say this in conclusion: I am very keen to engage in a reasoned debate about the substance and opportunities of education. I engage with the education system every single day, and I hear about and see lots of strong examples of innovation and creativity at local level. We are investing in education through the teachers' pay deal, which I talked about in my earlier remarks; through pupil equity funding, which is making a huge difference at local level; through the Scottish attainment challenge; and through increasing resources for local authorities.

We will continue to make that investment, in line with the Government's policy focus on education, in pursuit of our aim to deliver excellence and equity for all our pupils, and to ensure that young people go on to the best possible destinations as a result of experiencing the world-class education that they can get in Scotland.

16:55

Willie Rennie (North East Fife) (LD): Members will be aware that this is mental health week, so I will draw attention to a couple of important statistics that demonstrate how the matter impacts on our education system, and which will perhaps give us a window into the world of teachers.

Half of all teachers have had a mental health problem that has been caused or exacerbated by pressure at work. Secondly, 44 per cent of teachers have had to see a doctor as a result of their mental health problem. To me, that shows the significant pressure that teachers are under. We need teachers to excel in order to get our education system back up to being the best. Our futures are in their hands, and we owe them much better than that. We need to devise a system that supports our school teachers, rather than one that causes all that pressure.

John Swinney: I associate myself with Willie Rennie's comments about the importance of supporting and protecting the mental health of teachers, which is why our pay deal includes workload reductions.

However, does he accept that some judgments that are made at local authority level in relation to subject choices are about protecting the mental health of pupils, who previously faced a significant amount of stress by undertaking a higher number of qualifications than they currently undertake?

Willie Rennie: Of course, we need to trust schools and teachers to look after the mental health of their pupils. That is essential, which is why we support the efforts that schools are making to support pupils' mental health.

However, the Government is making the situation worse. We should look at the range of policies that the Government has devised to try to drive up the quality of education in Scotland, after the First Minister made her speech four years ago—as members will be aware—about that being her “sacred duty”. She should be judged on that “sacred duty”. As Iain Gray quite rightly pointed out, many of the policies that have been devised since then are unnecessary and unwanted.

Liam McArthur set out the arguments against national testing very well. He talked about its confused purpose and the fact that many teachers already had a scheme for assessing their pupils' performance. The new tests do not add anything to the sum of knowledge that teachers had. The Government's original intention was that national testing should be done so that it could compare, but then it said, “Of course, we will not compare, because that could lead to league tables.” What is the purpose of standardised national tests if we cannot compare? The tests have a confused purpose. Since the vote in Parliament in

September last year, the Government has carried on regardless, and has flouted the will of this institution by allowing 11,500 tests to take place in schools.

There was support across Parliament for curriculum for excellence, but the Government's bungled implementation of the policy has undermined it. Curriculum for excellence was supposed to provide teachers with the freedom to use the skills and talents that they gain over the years. However, it now results in increased bureaucracy, which has hindered the opportunity for teachers to do the best for their pupils. The introduction of regional collaboratives has added an extra layer of bureaucracy to our education system, which has resulted in confusion about accountability.

I am curious about John Swinney's endless praise of the pupil equity fund. He opposed it for five years while we asked him to implement it. In fact, one of his party's members, Willie Coffey, said that it would be dangerous and ridiculous to implement the policy. Now John Swinney praises it. Bungled implementation of the policy resulted in an underspend in the fund in 2017-18. It is so poorly designed that it is plugging the gaps in the funding of schools.

Nursery education is incredibly close to my heart. It is very important—it is the way to try to improve the life chances of young people. Look at the warnings from Audit Scotland and the City of Edinburgh Council saying that the nursery policy is now at risk. In the meantime, Maree Todd—who is smiling at me right now—said that all the news is encouraging.

There has been 18 per cent under-recruitment from the planned figure. We have a massive reduction in the number of childminders, and nurseries are closing. Those are not good foundations for rolling out the policy. The Government has undermined the education system in this country. It is about time that it recognised that and did its job properly.

Point of Order

17:01

Oliver Mundell (Dumfriesshire) (Con): On a point of order, Presiding Officer. I raise a point of order under rule 8.17 of the standing orders to seek your clarification as to whether proper procedures are being followed in relation to the Children (Equal Protection from Assault) (Scotland) Bill, with particular reference to rule 12.8 on reports of committees and in relation to the wider committee guidance.

Ahead of tomorrow's meeting of the Equalities and Human Rights Committee, I have become aware that the clerks appear to have retrospectively edited the minutes of the committee's meeting of 25 April that were originally posted on the Scottish Parliament website. A new document, which was not created until some two weeks after the meeting, now appears in its place, minus the critically important text confirming that the stage 1 report on the bill had been completed and arrangements for its publication were agreed.

Furthermore, I received an email from the clerk on 30 April to confirm that the embargo date on the final report was 10 May. No meetings of the committee following 25 April and prior to 10 May reference the bill on the agenda.

As such, I would be grateful if you could clarify under what procedure the clerks amended the already published committee minutes of 25 April; what the rationale was for doing so; why all committee members were not formally made aware of the change; whether you will ask for the original minutes to be reissued; whether you believe that that retrospective amendment of the minutes meets the level of transparency expected of the Parliament; and whether you recognise the challenge that this creates when it comes to ensuring that due parliamentary process is followed.

I would also be grateful if you could confirm to the chamber whether you believe that the report in question has been completed; if it has not, when and under what procedure the decisions of the committee taken on 25 April were reversed, and if it has, why it has not been published by the clerks; and why all members of the committee were not formally notified of the change to publication plans. In the event that it is permissible for a committee to reopen a report, or if you consider that the report is not completed, can you confirm whether it would be open to any member of the committee to request that further oral evidence is taken from additional witnesses and to revisit any text and sections that have already been agreed? In

addition, will you rule, under the procedure outlined in section 5.67 of the guidance on committees, whether you consider it appropriate for a majority of members to comment further in a committee report on the views expressed by a minority without allowing the minority a further right to reply or, alternatively, to reconsider their previous decision agreed by consensus not to proceed under section 5.66 of the committee guidance?

In the event that you are unable to rule on all those matters this evening, what advice can you give in relation to the procedural validity of any business or decisions relating to these matters that may be taken at the committee's meeting tomorrow morning?

The Presiding Officer (Ken Macintosh): I thank Oliver Mundell for giving me advance notice of what was obviously a lengthy and detailed point of order. I have considered this matter. I recognise that Mr Mundell has concerns and is looking for procedural advice, as well as advice on any other items that he has raised. However, these strike me as matters for the committee itself, and for the committee convener and clerks to advise on. In general, matters that might be points of order in the chamber are normally matters for a convener in the context of committee business. On this matter, I also note that the committee is meeting tomorrow morning, so my advice would be to pursue the matter with members of the committee and, in particular, with the convener and clerks to the committee tomorrow morning.

Business Motions

17:04

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-17286, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 21 May 2019

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Portfolio Questions:
Government Business and
Constitutional Relations;
Culture, Tourism and External Affairs;
Education and Skills

followed by Scottish Government Debate: Removing
the Stigma of the Menopause

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 22 May 2019

1.30 pm Parliamentary Bureau Motions

1.30 pm Economy, Energy and Fair Work
Committee Debate: Business support
inquiry

followed by General Questions

followed by First Minister's Questions

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Tuesday 28 May 2019

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Children (Protection
from Assault) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 29 May 2019

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:
Health and Sport;
Communities and Local Government

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 30 May 2019

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Security and Older People

followed by Scottish Government Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, in relation to any debate on a business motion setting out a business programme taken on Wednesday 22 May 2019, the second sentence of rule 8.11.3 is suspended and replaced with "Any Member may speak on the motion at the discretion of the Presiding Officer";

(c) that, in relation to First Minister's Questions on Wednesday 22 May 2019, in rule 13.6.2, insert at end "and may provide an opportunity for Party Leaders or their representatives to question the First Minister"; and

(d) that, for the purposes of Portfolio Questions in the week beginning 20 May 2019, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

Motion agreed to.

The Presiding Officer: The next item of business is consideration of business motion S5M-17287, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on a stage 2 timetable for a bill.

Motion moved,

That the Parliament agrees that consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 2 be completed by Friday 28 June 2019.—[*Graeme Dey*]

Motion agreed to.

Parliamentary Bureau Motions

17:05

The Presiding Officer (Ken Macintosh): The next item of business is consideration of three Parliamentary Bureau motions. I call Graeme Dey to move motions S5M-17288, on approval of a Scottish statutory instrument, S5M-17289, on designation of a lead committee, and S5M-17297, on a committee meeting at the same time as the Parliament.

Motions moved,

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] be approved.

That the Parliament agrees that the Local Government and Communities Committee be designated as the lead committee in consideration of the Period Products (Free Provision) (Scotland) Bill at stage 1.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Environment, Climate Change and Land Reform Committee can meet, if necessary, at the same time as a meeting of the Parliament from 2.30pm to 4.30pm on Tuesday 28 May 2019 for the purpose of considering evidence on its inquiry on the report of the Committee on Climate Change.—[*Graeme Dey*]

Decision Time

17:05

The Presiding Officer (Ken Macintosh): There are several questions this evening. I remind members that, if the amendment in the name of Jeane Freeman is agreed to, the amendment in the name of Monica Lennon will fall.

The first question is, that amendment S5M-17281.4, in the name of Jeane Freeman, which seeks to amend motion S5M-17281, in the name of Alex Cole-Hamilton, on the treatment time guarantee, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 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)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (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)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 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)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bibby, Neil (West Scotland) (Lab)
 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)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Finnie, John (Highlands and Islands) (Green)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alison (Lothian) (Green)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)

Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)
 Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 57, Against 59, Abstentions 0.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-17281.1, in the name of Miles Briggs, which seeks to amend motion S5M-17281, in the name of Alex Cole-Hamilton, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bibby, Neil (West Scotland) (Lab)
 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)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)

Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fabiani, Linda (East Kilbride) (SNP)
 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)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (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)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 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)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)

Abstentions

Finnie, John (Highlands and Islands) (Green)
 Greer, Ross (West Scotland) (Green)
 Harvie, Patrick (Glasgow) (Green)
 Johnstone, Alison (Lothian) (Green)

Ruskell, Mark (Mid Scotland and Fife) (Green)
Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 53, Against 57, Abstentions 6.

Amendment disagreed to.

The Presiding Officer: The next question is, that amendment S5M-17281.2, in the name of Monica Lennon, which seeks to amend motion S5M-17281, in the name of Alex Cole-Hamilton, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Balfour, Jeremy (Lothian) (Con)
Ballantyne, Michelle (South Scotland) (Con)
Bibby, Neil (West Scotland) (Lab)
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)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Corry, Maurice (West Scotland) (Con)
Dugdale, Kezia (Lothian) (Lab)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Golden, Maurice (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Greene, Jamie (West Scotland) (Con)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harris, Alison (Central Scotland) (Con)
Kelly, James (Glasgow) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lamont, Johann (Glasgow) (Lab)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lindhurst, Gordon (Lothian) (Con)
Lockhart, Dean (Mid Scotland and Fife) (Con)
Macdonald, Lewis (North East Scotland) (Lab)
Mason, Tom (North East Scotland) (Con)
McArthur, Liam (Orkney Islands) (LD)
McDonald, Mark (Aberdeen Donside) (Ind)
McNeill, Pauline (Glasgow) (Lab)
Mitchell, Margaret (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Rennie, Willie (North East Fife) (LD)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Rumbles, Mike (North East Scotland) (LD)
Sarwar, Anas (Glasgow) (Lab)
Scott, John (Ayr) (Con)
Scott, Tavish (Shetland Islands) (LD)
Simpson, Graham (Central Scotland) (Con)
Smith, Elaine (Central Scotland) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Smyth, Colin (South Scotland) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)
Tomkins, Adam (Glasgow) (Con)

Wells, Annie (Glasgow) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
Denham, Ash (Edinburgh Eastern) (SNP)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (SNP)
Fabiani, Linda (East Kilbride) (SNP)
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)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lyle, Richard (Uddingston and Bellshill) (SNP)
MacDonald, Angus (Falkirk East) (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)
Matheson, Michael (Falkirk West) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
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)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Highlands and Islands) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)

Abstentions

Finnie, John (Highlands and Islands) (Green)
Greer, Ross (West Scotland) (Green)
Harvie, Patrick (Glasgow) (Green)
Johnstone, Alison (Lothian) (Green)

Ruskell, Mark (Mid Scotland and Fife) (Green)
Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 53, Against 57, Abstentions 6.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S5M-17281, in the name of Alex Cole-Hamilton, on the treatment time guarantee, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Balfour, Jeremy (Lothian) (Con)
Ballantyne, Michelle (South Scotland) (Con)
Bibby, Neil (West Scotland) (Lab)
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)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Corry, Maurice (West Scotland) (Con)
Dugdale, Kezia (Lothian) (Lab)
Findlay, Neil (Lothian) (Lab)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Golden, Maurice (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Iain (East Lothian) (Lab)
Greene, Jamie (West Scotland) (Con)
Griffin, Mark (Central Scotland) (Lab)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harris, Alison (Central Scotland) (Con)
Kelly, James (Glasgow) (Lab)
Kerr, Liam (North East Scotland) (Con)
Lamont, Johann (Glasgow) (Lab)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lindhurst, Gordon (Lothian) (Con)
Lockhart, Dean (Mid Scotland and Fife) (Con)
Macdonald, Lewis (North East Scotland) (Lab)
Mason, Tom (North East Scotland) (Con)
McArthur, Liam (Orkney Islands) (LD)
McDonald, Mark (Aberdeen Donside) (Ind)
McNeill, Pauline (Glasgow) (Lab)
Mitchell, Margaret (Central Scotland) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Rennie, Willie (North East Fife) (LD)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Rumbles, Mike (North East Scotland) (LD)
Sarwar, Anas (Glasgow) (Lab)
Scott, John (Ayr) (Con)
Scott, Tavish (Shetland Islands) (LD)
Simpson, Graham (Central Scotland) (Con)
Smith, Elaine (Central Scotland) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Smyth, Colin (South Scotland) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, David (Highlands and Islands) (Lab)
Tomkins, Adam (Glasgow) (Con)
Wells, Annie (Glasgow) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Campbell, Aileen (Clydesdale) (SNP)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Crawford, Bruce (Stirling) (SNP)
Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)
Denham, Ash (Edinburgh Eastern) (SNP)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (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)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnstone, Alison (Lothian) (Green)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lyle, Richard (Uddingston and Bellshill) (SNP)
MacDonald, Angus (Falkirk East) (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)
Matheson, Michael (Falkirk West) (SNP)
McAlpine, Joan (South Scotland) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
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)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Todd, Maree (Highlands and Islands) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
White, Sandra (Glasgow Kelvin) (SNP)
Wightman, Andy (Lothian) (Green)

The Presiding Officer: The result of the division is: For 53, Against 63, Abstentions 0.

Motion disagreed to.

The Presiding Officer: I remind members that, if the amendment in the name of John Swinney is agreed to, the amendment in the name of Iain Gray will fall.

The next question is, that amendment S5M-17280.2, in the name of John Swinney, which seeks to amend motion S5M-17280, in the name of Tavish Scott, on education, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Campbell, Aileen (Clydesdale) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Crawford, Bruce (Stirling) (SNP)
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)
 Denham, Ash (Edinburgh Eastern) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (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)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnstone, Alison (Lothian) (Green)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lyle, Richard (Uddingston and Bellshill) (SNP)
 MacDonald, Angus (Falkirk East) (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)
 Matheson, Michael (Falkirk West) (SNP)
 McAlpine, Joan (South Scotland) (SNP)
 McDonald, Mark (Aberdeen Donside) (Ind)
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 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)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Highlands and Islands) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)
 White, Sandra (Glasgow Kelvin) (SNP)
 Wightman, Andy (Lothian) (Green)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Ballantyne, Michelle (South Scotland) (Con)
 Bibby, Neil (West Scotland) (Lab)
 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)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Corry, Maurice (West Scotland) (Con)
 Dugdale, Kezia (Lothian) (Lab)
 Findlay, Neil (Lothian) (Lab)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Iain (East Lothian) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harris, Alison (Central Scotland) (Con)
 Kelly, James (Glasgow) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Lamont, Johann (Glasgow) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lindhurst, Gordon (Lothian) (Con)
 Lockhart, Dean (Mid Scotland and Fife) (Con)
 Macdonald, Lewis (North East Scotland) (Lab)
 Mason, Tom (North East Scotland) (Con)
 McArthur, Liam (Orkney Islands) (LD)
 McNeill, Pauline (Glasgow) (Lab)
 Mitchell, Margaret (Central Scotland) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Rennie, Willie (North East Fife) (LD)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Rumbles, Mike (North East Scotland) (LD)
 Sarwar, Anas (Glasgow) (Lab)
 Scott, John (Ayr) (Con)
 Scott, Tavish (Shetland Islands) (LD)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Elaine (Central Scotland) (Lab)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, David (Highlands and Islands) (Lab)
 Tomkins, Adam (Glasgow) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division is: For 63, Against 52, Abstentions 0.

Amendment agreed to.

The Presiding Officer: The amendment in the name of Iain Gray is pre-empted.

The next question is, that motion S5M-17280, in the name of Tavish Scott, on education, as amended, be agreed to.

Motion, as amended, agreed to,

That the Parliament believes that there is no more important investment than in the education of Scotland's young people; recalls that the First Minister said that education would be her administration's number one priority; welcomes the recent agreement reached by professional associations, local government and the Scottish Government to provide an increase in teacher pay; believes that improved pay is an important element in the attractiveness of the teaching profession, as part of a wider strategy to address recruitment and retention problems; further believes that teachers' professionalism should be supported through improved career-long professional learning, clear professional ownership of their own curricular role and a shared leadership role within a collegiate approach to Scotland's schools; recognises the challenge represented by the increasing need for additional support, and agrees that the Scottish Government will review the use of coordinated support plans to ensure that young people with the most significant additional needs are receiving the support that they require.

The Presiding Officer: I propose to ask a single question on three Parliamentary Bureau motions, unless any member objects.

The question is, that motions S5M-17288, S5M-17289 and S5M-17297, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] be approved.

That the Parliament agrees that the Local Government and Communities Committee be designated as the lead committee in consideration of the Period Products (Free Provision) (Scotland) Bill at stage 1.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Environment, Climate Change and Land Reform Committee can meet, if necessary, at the same time as a meeting of the Parliament from 2.30pm to 4.30pm on Tuesday 28 May 2019 for the purpose of considering evidence on its inquiry on the report of the Committee on Climate Change.

Foster Care Fortnight

The Deputy Presiding Officer (Linda Fabiani): The final item of business is a members' business debate on motion S5M-17102, in the name of Kezia Dugdale, on foster care fortnight 2019. The debate will be concluded without any question being put.

Motion debated,

That the Parliament welcomes Foster Care Fortnight 2019, which takes place from 13 to 26 May; understands that this will be the UK's biggest foster care awareness raising campaign and will showcase the commitment, passion and dedication of foster carers; notes that it will also seek to highlight that more foster carers are needed; understands that, in Scotland, although there are approximately 4,000 foster families, the Fostering Network estimates that this represents a shortfall of 550; believes that Action for Children, which supports 54 foster carers in Scotland, has stated that "becoming a foster carer can be one of the most rewarding things a person could ever do, as that person provides a loving and stable home for a child who can no longer live with their family"; acknowledges that people who have considered becoming a foster carer should know that, if they want to take the next step, organisations such as Action for Children, as well as local authorities, can provide support and information to assist their journey towards this; hopes the organisers of the fortnight enjoy every success with this celebration of fostering, and commends this work that aims to inspire more people to become foster carers.

17:13

Kezia Dugdale (Lothian) (Lab): I thank members for signing the motion and for staying to hear the debate.

Let me say at the outset that although this will not be my final speech in the chamber, it will be my final members' business debate. Throughout my eight years here, I have tried to use these slots for a purpose. On matters from payday loans to mesothelioma, the living wage to rape prosecution rates, I have sought to push ministers hard for answers and I intend to do so again today.

Of course, we should take a moment to celebrate foster carers and thank them for the job that they do. There is a debate to be had about the degree to which we consider fostering to be employment in the traditional sense, but we know that, first and foremost, a foster carer's job is to provide a loving home for children and young people who need it, for whatever reason.

I am grateful to Shirley, Alex and the others who travelled from Lanarkshire and Loanhead this morning to share their direct experiences with me. Equally, thanks should go to my constituents who have allowed me to share their stories with members.

The best way that we can show our gratitude is to listen hard and choose to act upon what we

hear. Scotland needs at least 580 more foster families as things stand. It could be closer to 900 if we factor in what would happen if every young person who is entitled to continuing care took it up. Recruitment is tricky, and numerous local authorities are reporting difficulties. While there is no national minimum standard on pay and allowances, local authorities are supplementing those to attract families. That is creating a market economy in what should clearly be a state responsibility. These are our children.

What is more, when a foster placement comes to an end, a foster carer goes from a full income to zero income in the space of four weeks. They get paid only when they have a placement, despite having given up work to be foster carers. The money starts only when the next placement begins, and the foster carers have no control over when a match will be made. It is the equivalent of a zero-hours contract for something as important as caring for a vulnerable child.

I know that the care review is looking into that, as it is looking into many fundamental changes, but some solutions are so screamingly obvious that they should be used now. An example of that is keeping brothers and sisters together. Earlier this year, I was delighted to hear the Scottish Government announce plans to keep siblings together. When I started to look for details of how it would be done, however, precious little was available. From parliamentary questions answered by the minister, I know that there is a plan, in the forthcoming family law bill, to place legal requirements on local authorities to keep siblings together. That is welcome, but as we have seen so many times in this Parliament, legislating for something and it becoming a reality are two different things.

I led for Labour on education through the passage of the Children and Young People (Scotland) Act 2014, which entitled looked-after young people to continuing care and aftercare. However, five years after its passage, precious few young people actually realise those rights. One way we can fix that is by ensuring that the fostering allowance is available for everyone in continuing care. If fostering is how someone pays their mortgage, how can we expect those carers to live off half the money they used to receive simply because the person they love and care for and continue to house is past their 18th birthday?

I will make a few broader points about housing. Today's *Daily Record* carries a story about Jamie Kinloch, who many members will know as one of the leading advocates for looked-after young people in this country. Outside his day job, he has now made the commitment to become a foster carer himself, but immediately upon applying, he hit a blockade because he does not have a spare

room. That ruled him out completely. The first question he was asked was not, "What do you know about trauma, or attachment theory?"; or even something as simple as, "What makes for a loving home?"; it was, "How many bedrooms do you have?".

If we are to break down the barriers to people putting their names forward to foster, it has to start here. I understand that, this afternoon, the Fostering Network warned about abandoning the requirement for foster children to have their own room, but that is not what I am calling for at all. The change I am looking for is that people who apply to be foster carers, a process that can take 18 months, should be asked to make a commitment to live in a suitable house before they take on their first placement. Jamie does not have a spare room today, but he is committed to getting one in three months or six months, well ahead of when the first young person will be placed with him. We, the state—the corporate parent—should be helping him and many other loving families like him to do that. I would go so far as to give them extra cash to move. Look at what we are spending on the alternative. It can cost up to £6,000 a week to house a child in secure care. A fraction of that would help a foster carer suitably house a young person.

That is the financial cost. We have not even considered the human cost, which is where I get really angry—when rules and bureaucracy, competing priorities and the culture of "it's aye been" get in the way of providing safe, loving, stable homes; when algorithms compound trauma; and when young people again become a number in system that we know is broken.

I have a constituent who lives in a three-bedroom house 2 miles from this building. She has one birth child and, around a parent's cancer treatment, intermittently fosters a baby who can stay in her bedroom. However, she also fosters a set of mixed-sex twins. They have lived with her since they were one year old and are seven now, going on eight. When they turn eight, they will not be allowed to share a room any more, because of their different genders, and one of them will have to move out unless a more suitable home can be found.

That woman has lived in the same council house for 15 years and in the same street in Craigmillar for 22 years, but she is prepared to move to keep her family together. She came to me because the council told her that she would not get priority or extra points for being a foster carer. How incredibly, stupidly shortsighted is that! The computer says no, and we are on the cusp of breaking up a family and separating siblings while knowing all the damage that that will do.

When I checked the rules with the Scottish Parliament information centre, it told me that provisions that the Scottish Parliament passed in the Housing (Scotland) Act 2014 came into effect just two weeks ago, on 1 May. Guidance states that

“Landlords should also give serious consideration to giving an additional priority based on adoption, fostering or being a kinship carer.”

Five years on, to seriously consider it! That is just not good enough. Warm words are great, but they are meaningless in the face of the demand for meaningful change.

I will conclude by presenting to the minister a mini manifesto: pay foster carers the same rate for continuing care; do not rule out families on the basis of the size of their house at stage 1; keep siblings together by prioritising looked-after children in the housing system; incentivise suitable housing options for people taking their first step; stop local authorities competing with each other for foster carers and end zero-hours contracts for foster carers. Perhaps if those things happen, we will have more to celebrate than the work of a community of foster carers whose lives are devoted to the simple act of providing a safe and loving home.

17:22

Rona Mackay (Strathkelvin and Bearsden) (SNP): I am grateful to Kezia Dugdale for bringing this important debate to the chamber and I thank her for her powerful opening speech on behalf of so many children looking for a home.

Foster care fortnight is the perfect opportunity to highlight the fantastic work that foster carers do. I am not sure that the word “work” is really appropriate here, as I am sure that it is much more than that for them. People I know who have fostered talk of how their lives have been enriched by the young addition to their family, whether their stay is temporary or more long term. I am a former children’s panel member, and I was constantly in awe of the foster parents who attended hearings and who clearly had the best interests of their foster child or children at heart.

However, as we know and have heard, there are issues that must be addressed now. In Scotland, there are approximately 4,000 foster families, who do an amazing job. However, that still leaves a foster carer shortfall of 580 who are needed in the next 12 months. That is 580 more families who could give a child a safe, loving home, something that most of us might take for granted but they have never had.

A helpful briefing from Action for Children, which supports foster carers every day of the year, reports that one in 10 people said that nothing

would put them off becoming a foster carer, which is encouraging. So, why the shortfall in foster carers? Is it lack of knowledge? Is it the many issues that Kezia Dugdale highlighted? Is it fear of taking on such a responsibility? Or is it down to family finances? Understanding what allowances and fees a foster carer is entitled to is a minefield due to differences throughout the United Kingdom and different policies adopted by fostering services. Scotland does not currently have recommended minimum allowances for foster carers and payments vary depending on where people live.

Fostering can be an enriching, positive way to help children who are sometimes the most vulnerable in society. It should not be a stressful experience and money worries should not be a feature. What price can we put on giving children a warm, loving home? The Scottish Government has committed to making national recommendations in the near future. I believe that that must be resolved now and I look forward to the minister updating us on that in her closing speech.

I also want to mention concurrent planning. Quite simply, that means that a foster carer would look after a child while it is decided whether the child can go back to live with their birth family. If it is decided that the child cannot go back to their family, the foster carers can then apply to adopt the child.

When the decision to put the child forward for adoption happens, all the hard work is done and approval can happen much quicker than having to wait a year or so. That is much better for the child and relieves the stress on the adoptive parents.

The Fostering Network is the UK’s leading fostering charity. It, along with excellent third sector organisations, works to ensure that all fostered children experience stable family life. It is passionate about the difference that foster care makes, not just to children, but to the foster families and carers whom it also supports.

I look forward to hosting an event in the Parliament for the Fostering Network next Wednesday, 22 May, when I expect that we will continue to discuss many of the issues that we have today.

Foster carers come from all walks of life and a wide range of backgrounds, cultures and ethnic groups. There is no upper age limit; their sexuality, marital status or whether they own a home do not matter, although Kezia Dugdale has raised issues in that regard. The only thing that matters is that they give a child the most important thing in the world: a caring, loving home and an equal chance to thrive and grow.

17:25

Michelle Ballantyne (South Scotland) (Con):

Every 20 minutes in the UK, a child comes into care needing a foster family. In Scotland, of the 14,738 looked-after children in 2017, 35 per cent were in foster care. Although that is not enough, it represents an increase of 66 per cent since 2002. We have to do more. Having worked with children in care, I am in no doubt about just how important the right placement is for a child. These are the words of a child who was moved into foster care:

“The first night I fell asleep with the biggest smile on my face. I felt at home.”

The independent care review, which is chaired by Fiona Duncan, is working with and listening to those who provide and experience care. I thank those who are involved for the work that they are doing, because I believe that it will change how we think about the delivery of care for some of our most vulnerable children—that is, those who are dependent on the state to make the right decisions.

It is that issue of the dependence on the state that brings this debate to the chamber today. Life throws issues at everyone. Building resilience to cope with those issues is essential for every child. Babies are not born resilient to stress, but they are born with the ability to become resilient if they are provided with the right environment.

If a child or young person has to go into care, making the right decisions early is key. It is essential to identify the right placement and ensure that foster carers and those who are involved in the decision making have the right training and development, particularly when it comes to the effect of trauma on children.

Children and young people in care often feel that they have no control over the decisions that impact on their lives. I am concerned that too many children have their placements moved, often without consultation and often when the foster carers themselves are not happy about it. That, in turn, undermines the relationships that have been built not just with carers but with others in care settings. Children build relationships with others in care settings that are akin to those between siblings. The emotional impact of being moved can be felt as heavily as being separated from blood relatives. In that regard, one young person said:

“my foster siblings were there, that was my security, that was my safety.”

Concern has also been expressed by foster carers and practitioners who perceive a lack of emphasis in the current system on helping a child maintain links with their siblings and their original community and friends. Instabilities in relationships, place and school all militate against the stability that is crucial to any child. It is vital for

a child’s emotional health to recognise their key attachments and to maintain birth family links wherever possible, if they are not detrimental to the child. That requires good, solid support for foster carers. They need not just financial aid but support networks and training.

We cannot treat foster caring lightly. I echo all of Kezia Dugdale’s sentiments. At the end of the day, when a child comes into state care and the local authority becomes the corporate parent, the responsibility of that local authority extends even further than that of an ordinary parent, because its decisions affect that child for the rest of their life. We see that when their attainment is not as good; we see that when they get into more trouble; we see that when they fail to know the love and security that a child has a right to expect.

I will end my contribution to tonight’s debate by paying tribute to the 4,000 foster families in Scotland. Foster carers really matter in the lives of infants, children, young people and their families. By providing consistent support, care and love, they give children and young people the chance to thrive. This is what one foster carer said, which echoes the words of Kezia Dugdale:

“We have made a lifelong commitment to these children and we think this needs to be recognised in a more formal way. We don’t forget children when they become young adults and we have a lifetime with them, as they are part of the family.”

17:30

Iain Gray (East Lothian) (Lab): I thank my colleague Kezia Dugdale, who has been a champion of care-experienced young people throughout her time in the Parliament, for bringing this evening’s important debate before Parliament.

We can be in no doubt of the irreplaceable role that foster carers play in our society. Our approach to care in Scotland depends on thousands of foster parents and families, who are committed, highly skilled and able to provide loving and secure homes for our young people.

During this campaign, we must not just acknowledge but celebrate the vital contribution that those carers make. We must also listen to organisations such as Action for Children, which has been mentioned, and the Independent Workers Union of Great Britain foster carers network, which is working to improve the circumstances of foster carers and those who are looking to foster.

To do all this properly, we must understand the issues that foster carers face and the reason why we have a significant shortfall. Only then can we get around to finding solutions to improve things for foster families and our young people.

The truth is that fostering in Scotland is becoming more difficult, not least due to the significant financial pressures that exist for individual foster carers. Between 2015 and 2017, in the system as a whole, the number of households that were approved for foster care for longer than exclusively short breaks dropped by 591. In the same period, fostering services reported an increase of 8 per cent in staff vacancies. Those increased vacancies are also becoming harder to fill as the number of fostering services that report difficulty recruiting rose from 10 to 17. In 2017, 45 per cent of fostering services experienced a net loss of households.

As Kezia Dugdale said, we hear from potential foster carers who have been dissuaded from applying, due to criteria such as needing a spare room during the 18 months of their assessment. As Kezia said, that is not what should be the priority; the priority should be what potential foster carers can offer young people.

I was shocked to hear from my council's fostering team that it needs to identify 100 interested families for every one that completes the journey to fostering. That is how hard it is. A significant problem exists with the fragmentation of the regulation of foster carers across 32 local authorities, which leads to disruptive irregularities in the placement of children, and with councils being both the assessor and employer of foster carers. That is one aspect of the disruptive market that Kezia spoke about in her introductory speech.

The IWGB is currently working on proposals for a nationally co-ordinated approach towards assessment, registration and deregistration. Such an approach would also allow for a more fluid and flexible network of foster carers who would be independently assessed on their fitness to foster, which would better serve young people. Such a change has merit and deserves scrutiny and consideration. I look forward to working with and hearing more from the IWGB about those proposals and how we can progress them.

We have heard tonight that we know what many of the problems are and we know what some of the possible solutions are. Several colleagues have mentioned the on-going independent care review, which is, of course, vital to transforming the lives of care-experienced young people in this country. However, the truth is that we need not wait until the conclusion of the review to start making the changes that we know we need.

17:34

Kenneth Gibson (Cunninghame North) (SNP): I congratulate Kezia Dugdale on securing today's debate to mark foster care fortnight 2019 and on her impassioned opening speech.

Fostering is one of the greatest things that a person can do, shaping the future of both the fostered child or young person and the family that cares for them. Regardless of why a child or young person can no longer live with their family, being welcomed into a loving and stable home through fostering can be an enriching and life-changing experience. Foster care fortnight, organised by the Fostering Network, runs from 13 to 26 May and is focused on that idea of changing a future.

The most recent figures show that, as of 31 July 2018, 5,058 children and young people in Scotland are being fostered in families through their local council, an independent fostering agency or a charity such as Action for Children, which provided an excellent briefing for today's debate. That figure is an incredible demonstration of the generosity of families across Scotland, and yet, as Kezia Dugdale and Rona Mackay pointed out, there remains an estimated shortfall of 580 foster carers. That gap must be closed to ensure that we do right by Scotland's children and young people, providing the love, care, and safety that they need and deserve.

In a survey of 1,000 Scots that was commissioned by Action for Children, a heartening 11 per cent said that nothing was stopping them from becoming a foster carer. However, something clearly is stopping them, because we need to translate that attitude into increased numbers of people fostering. Awareness-raising events such as foster care fortnight play a big part, presenting an invaluable platform for sharing information about how to become a foster parent, eligibility, allowances, the effect on the host family and the transformative impact that fostering has on a child or young person's life.

The same survey found that one of the biggest obstacles to people becoming foster carers was the feeling that it did not fit in with their lifestyle. Therefore, it is important to dispel some persistent myths about fostering: you cannot be too old to become a foster carer and you do not need to be heterosexual or married or to own your home. What makes fostering so valuable is the wide range of backgrounds and life experience that fosterers bring to the table. As long as you are over 21, have a spare bedroom—an issue that has been discussed a lot already—and can provide the time and energy and a loving home, you could be a valued foster carer. With the right support, many more people can be empowered to become foster carers.

In my Cunninghame North constituency, the North Ayrshire family placement team offers a confidential and extremely informative service to help people to decide whether now is the time to foster. The team is there for foster carers every

step of the way, from an in-depth and personalised induction to regular training and support sessions. It even offers the opportunity to study for a Scottish vocational qualification level 3 in caring for children and young people at no cost to the foster carer.

Evidence demonstrates that sibling relationships are incredibly important in nurturing continuity, security and stability for children, so it is vital to place siblings together as much as possible, provided that that is in their best interests. Unfortunately, it is particularly challenging to recruit households to foster sibling groups, largely because of accommodation constraints. We have to be more flexible about how local authorities allocate housing to households with growing foster families.

At 31 December 2017, there were 1,012 sibling groups in foster care. Sadly, 23 per cent of them were separated on placement. Therefore, I am pleased that, in March this year, the Scottish Government outlined plans to strengthen the law so that placing brothers and sisters together when in care is given higher priority than at present. I was also pleased to see recognition of the importance for brothers and sisters who are not able to live together of maintaining contact, as those relationships are critical to a child's wellbeing.

There are many ways other than fostering to support looked-after children in what can be a challenging period in their lives. For example, the Comfort U Bags—or CUBs—initiative provides a backpack filled with items to help to ease the transition into first-time foster care. From a soft toy or blanket to pens, books, or craft supplies and essentials such as toothpaste and shower gel, each CUB is carefully put together to support the wellbeing of each individual child. The value of a seemingly small gesture cannot be overstated, and I commend the initiative and all its volunteers.

Foster carers change lives for the better. Whether that happens immediately, by their providing a place of safety at a time of need, or is part of a longer journey towards a brighter future, one thing is certain: the caring and supportive actions of foster carers will be felt throughout a foster child's life.

17:38

Jeremy Balfour (Lothian) (Con): I, too, thank Kezia for bringing the debate to the chamber. I come to the issue with a very personal perspective. As some members will know, last autumn, my wife and I started fostering a little boy, with the hope of adopting him. For a variety of reasons, that arrangement broke down earlier this year and he had to leave our household. As I have

been on that journey with my wife, I have spoken to many other individuals and couples who want to foster or adopt, and a number of things have struck me that I would like to share with members.

First, we must acknowledge that it is becoming increasingly difficult for people to want to foster in the first place, because the recruitment process puts them off. For me and my wife, it took more than 18 months from the day that we started it. Such delays are largely due to pressure on social work departments, but authorities almost have the mentality of trying to put people off fostering and adopting.

I was also struck by Kezia Dugdale's remark about the first question that a potential foster carer was asked being about how many rooms they had. In recent years, that is not the only time that I have heard about people who want to foster being put off at the first stage. We need to look at the process of how we recruit individuals to come forward and foster. It is right that the correct checks are done and that the right people are found to help the most vulnerable children in our society, but we must encourage potential foster carers and adopters, not discourage them.

Picking up on comments that were made earlier, my second concern is about the money that people receive for fostering. We could have another debate—it would be worthwhile to do so—on whether fostering should be seen as a form of career. In Scotland, which is a fairly small country, differing amounts of money are paid depending on the local authority area in which a child is fostered. For example, the minister's region pays less than Angus, which I consider to be a region of a similar geographical type. As I am a lowlander, I am happy to be corrected on that, but the two regions feel similar to me. What is the justification for the Highland region paying less than Angus? Also, although I am all for localism, I think that there is a role for Government and Parliament in ensuring that the payments that people get are more reflective across the whole of Scotland.

Social workers in our 32 local authorities and the third sector are under immense pressure. I have been amazed by the dedication of the various social workers with whom I have come into contact in recent years, the hours that they put in and the kindness that they demonstrate towards the children whom they are trying to place. As well as being under pressure, they face financial difficulties, so some of the decisions that they are forced to make are not necessarily driven by best practice but are worked out simply according to financial cost. Therefore, we must look at the resources that we give our social work departments. The third sector, which is already involved, could play a greater role, and organisations such as Home for Good, which try to

encourage people into fostering, must be given a higher profile.

I welcome the debate, but there is a danger that, although we might hear lots of warm words from each of our parties, unless all of us are willing to change and to introduce policies that will radically alter things for the most vulnerable in our society, such words will change nothing.

The Deputy Presiding Officer: Before we hear the minister's concluding remarks, I gently remind members that it would be helpful if they would always refer to other members by their full names. Much as we all like each other, using two names is better for the purposes of the *Official Report* and for anyone who is listening. You were not the only one not to do so, Mr Balfour, so please do not look so guilty.

17:44

The Minister for Children and Young People (Maree Todd): I am pleased that the debate has offered an opportunity to highlight the Fostering Network's annual foster care fortnight as a valuable awareness-raising campaign. It is reassuring to see such interest and to hear the strength of views of all those members who have participated today. I take the opportunity to add my thanks to the Fostering Network—especially Sara Lurie and her team in Scotland—who provide such valuable pre-approval and post-approval foster carer training and much-needed support to foster carers through the fosterline helpline.

I also thank Kezia Dugdale for bringing the subject to the chamber and for championing the interests of care-experienced children and young people over her many years in Parliament. She raised a number of issues, and I would certainly appreciate more detail, which would allow me to look into some of the specific cases that she raised.

With regard to the spare bedroom issue that a number of members raised, I note that the regulations and guidance on looked-after children do not specifically stipulate that foster carers must have a spare room. They do, however, specify that fostering panels have a duty to ensure that the needs and wellbeing of looked-after children and the potential impact on prospective foster families are taken into account. Given that many children coming into care might be recovering from the effects of neglect, abuse or trauma, those and many other factors must be taken into consideration to ensure the safety, protection and privacy of the looked-after child. I agree that a spare room does not necessarily need to be in place at the start of the process, but it certainly needs to be in place at the end of it.

I share many of the frustrations that members have expressed about the bureaucratic barriers and the “computer says no” attitudes that people come upon when they are attempting to enter the foster system. I thought that Jeremy Balfour's personal contribution was very powerful, and I am grateful to him for it. I agree that we need to tackle many of the issues now, but the purpose of the independent care review was to do with a recognition of the many and complex issues that interact, some of which are easy to fix and some of which are much harder to fix. There is a recognition that we really do need a root-and-branch review. We need to be thinking about doing things differently, and we need to go on and do things differently.

There can be absolutely no doubt that foster caring is challenging at times. The crucial encouragement that foster carers provide every day to the children and young people in their care helps, in many ways, to restore self-belief where it has been eroded and to instil a sense of security and confidence. For children and young people who can no longer live with their families for whatever reason, our foster carers provide a safe, secure and loving family environment—a place to call home.

Our national outcomes challenge us to ensure that children and young people grow up with equal opportunities and feel loved, safe and respected at home and by society. Maintaining the relationships that matter to them the most is important, so how do we preserve those important relationships? I will touch on that in addressing some of the issues that were raised in the debate.

The recent Care Inspectorate bulletin on local authority and independent fostering and adoption service providers includes important data on the reality of foster care in Scotland. It acknowledges the complexities and it highlights a number of positive trends, with 93 per cent of our 60 local authority and independent foster care providers achieving grades of “good” or better across all quality themes. However, 45 per cent of foster care services had experienced a net loss in the number of foster carers.

Kezia Dugdale raised the issue of keeping brothers and sisters together. The importance of ensuring that the best interests of the child are at the heart of all decisions is evident, but the bulletin also highlighted that local authority foster carers and independent service providers found it a challenge to recruit foster carers to care for sibling groups. I announced recently that we are going to strengthen the law so that staying in touch with brothers and sisters will become a much greater priority when we are making plans for children and young people in care.

Most members will be aware by now that the national review of care allowances made 12 recommendations on the theme of improving consistency and transparency in allowances and in the information that is available for families and carers. This is a complex area, particularly in the current financial climate, but we are committed to working in partnership with the Convention of Scottish Local Authorities to respond in a way that best meets the needs of our fostered children and carers.

Jeremy Balfour compared the situation in Highland with the situation in other local authority areas with similar topography and geography and similar challenges with sparse populations. It is difficult to understand the differences in foster care allowances there, but that is why we need to improve the transparency in allowances and explain what is included in the basic allowance and what is included in the myriad extra allowances that people can claim.

A central register of foster carers was considered as part of a previous national review of foster care. At the time, it was not considered to be a viable option, but the potential benefits of a central registration body have been presented to the independent care review and the Government is interested to hear what conclusions are reached as areas for improvement in the care system are explored.

I am also aware of some of the difficulties regarding continuing care. We have been working with, and listening to, key partners on those issues, and we are exploring what more we can do to support a smoother implementation. We want to do what we can to help eligible young people to stay with their foster carers and benefit from a much more supported transition into independent living.

The Government looks forward to hearing about the further improvements that we can all make to ensure that the care experiences of vulnerable children and young people are as valuable and rewarding as possible.

In my portfolio, I have the opportunity to meet lots of young people, and I have heard of some heartbreaking experiences. I have also heard many inspirational stories of the extraordinary people, including foster carers, who have been there to help a child to achieve his or her ambitions. I ask that we all do what we can to support the foster care fortnight campaign and to raise awareness of foster caring in Scotland.

People write to me regularly about their experiences of foster care, and it is important to conclude by handing the microphone to a foster carer, who explains what drew him to foster caring. He says:

“We care about children. We want to help them and we’ve developed skills through work and parenting that can benefit children in need. We feel that we’ve done well out of society and perhaps we can give something back”.

I want everyone who is listening to consider that. Can you give something back? The foster carer captures beautifully both the joy and the heartbreak that come with foster caring. He and his wife fostered very young babies, and he says:

“When their time with us comes to an end, there is a delight and a heartbreak in seeing each child move on, either back home, or, more often, to a permanent placement with adopters. We still think about all of the different little characters who have lived with us over the years. As my wife says, every time a child leaves, they take a little piece of our heart with them.”

I thank Scotland’s foster carers for their commitment. There is absolutely no doubt that they improve the lives of children and young people in their care and make our collective vision for them a reality.

Meeting closed at 17:53.

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