OFFICIAL REPORT
AITHISG OIFIGEIL

Finance and Public Administration Committee

Tuesday 2 May 2023

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Tuesday 2 May 2023

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FINANCE AND PUBLIC ADMINISTRATION COMMITTEE
12th Meeting 2023, Session 6

CONVENER

Kenneth Gibson (Cunninghame North) (SNP)

DEPUTY CONVENER

*Michael Marra (North East Scotland) (Lab)

COMMITTEE MEMBERS

*Ross Greer (West Scotland) (Green)
*Douglas Lumsden (North East Scotland) (Con)
*John Mason (Glasgow Shettleston) (SNP)
*Liz Smith (Mid Scotland and Fife) (Con)
*Michelle Thomson (Falkirk East) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Lucy Hughes (Engender)
Rachel Le Noan (Scottish Council for Voluntary Organisations)
Craig McLaren (Royal Town Planning Institute Scotland)
Dr Judith Turbyne (Children in Scotland)

CLERK TO THE COMMITTEE

Joanne McNaughton

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Finance and Public Administration Committee

Tuesday 2 May 2023

[John Mason opened the meeting at 09:30]

Interests

John Mason (Glasgow Shettleston) (SNP): Good morning, and welcome to the 12th meeting in 2023 of the Finance and Public Administration Committee. As the oldest member of the committee—which I am required to state—I will convene the meeting for the first two items of business, which will take only a couple of minutes, until the committee chooses a deputy convener. Sadly, the convener is not able to attend today, due to a bereavement.

I know that the convener would want me to first put on record our thanks to Daniel Johnson for all his hard work in supporting the committee's scrutiny and for his collegiate approach as the deputy convener.

I am pleased to welcome Michael Marra to the committee as a new member and as Daniel's replacement. I invite him to declare any relevant interests.

Michael Marra (North East Scotland) (Lab): I have nothing to declare.

Deputy Convener

09:30

John Mason: Item 2 is the appointment of a deputy convener. The Parliament has agreed that only members of the Scottish Labour Party are eligible for nomination as deputy convener of this committee. As such, I nominate Michael Marra as deputy convener of the committee. Do members agree to choose Michael as our deputy convener?

Michael Marra was chosen as deputy convener.

John Mason: I will suspend for 15 seconds while we change chairs.

09:31

Meeting suspended.

09:31

On resuming—

The Deputy Convener (Michael Marra): I thank the committee for my appointment. I look forward to working with you all. As deputy convener, I will chair the rest of the meeting in the convener's absence.

Effective Scottish Government Decision Making

09:32

The Deputy Convener: For our next agenda item, the committee will continue its inquiry into effective Scottish Government decision making. Today we will hear from Dr Judith Turbyne, chief executive of Children in Scotland; Lucy Hughes, policy and parliamentary manager at Engender; Craig McLaren, director of Scotland, Ireland and English regions at the Royal Town Planning Institute Scotland; and Rachel Le Noan, policy and public affairs officer at the Scottish Council for Voluntary Organisations. I welcome you all to the committee.

I intend to allow up to 90 minutes for the session. If witnesses would like to be brought into the discussion at any point, please indicate that to the clerks and I can then call you. We already have your written submissions—thank you for those.

We will move straight to questions. I ask Michelle Thomson to begin.

Michelle Thomson (Falkirk East) (SNP): Good morning, everybody, and thank you for the very fulsome submissions that you made to this inquiry, which have been noted.

Rachel Le Noan, I want to come to you first. You make an interesting comment in the SCVO submission that it is about trust and power and who has it. You also quote the very interesting statement that trust and parity of esteem should be in "spheres ... not tiers" because,

"When you have tiers, you then have the whole issue around power and who has power and influence."

Can you think of an example of where that has had practical effect and talk us through it?

Rachel Le Noan (Scottish Council for Voluntary Organisations): Good morning, all, and thanks for inviting us to give evidence. The points about trust and power came out of the three reports that we published last year. Although they were done separately, the same themes of trust, power, value and time come out.

In relation to the issue around power, our point would be that it is not really acknowledged in the decision-making process. The voluntary sector is always linked to the issue of funding, which brings an additional layer to the decision-making process. You have that power imbalance from the start, no matter which working group you might be sitting on, which is not always acknowledged.

Our point is that you are always going to have the issue of the public sector funding the voluntary sector to an extent, but that needs to be recognised and then we can move on and be seen as partners and not just as the voluntary sector delivering services for the public sector, for example.

We need parity of esteem. The value of the sector needs to be recognised as a power in itself, so that we all have the same say at the table. When we have that, we can move on and try to solve issues together.

In practice, you might have 15 or 20 civil servants sitting on a working group but you would have only one representative—or, if you are lucky, two representatives—from the voluntary sector. We argue that putting that amount of pressure and expectation on one person is a lot to ask and we need to recognise that that person cannot speak for 45,000 organisations in Scotland. There needs to be a bit more acknowledgment that you could invite more people along from the voluntary sector to rebalance the power in the room.

Michelle Thomson: Okay. I get what you are saying about the scale of representation, and you make that point clear in your submission.

Have there been times when, in terms of line of sight of funding, you have felt that you or any of the organisations that you represent have been required to give what you might see as the right answer or the preferred answer because of the mechanism of funding and fears or uncertainty over that? Is that a general concern or a fear that you hold?

Rachel Le Noan: Yes. I put the issue around critical challenge in our submission because, in each of the three reports that I mentioned—which involved interviews with various stakeholders—people raised the issue of being a critical friend and receiving funding from the Scottish Government.

It will not apply to everyone in the sector. Some people feel absolutely fine about speaking out and challenging the Government but, for other people, it is a concern, and they do not necessarily feel that they can be as critical or as challenging as they would like to be, because of the funding.

That is why we are also calling for the expectations and parameters for the discussions to be defined from the beginning, and for it to be made clear that the issue of funding will not have any impact on what an organisation can say. It comes through from the reports that, for some in the sector, that is a concern.

Michelle Thomson: Do you think that, in general, the Scottish Government wants a critical friend or is that a statement that it uses but that is a kind of esoteric desire? There is a difference between the two.

Rachel Le Noan: That is a fair question. I think that, in interviews for one of the reports, a question was asked about whether the Government wants a critical friend or needs a critical friend. It might depend on who you are dealing with in the Scottish Government. You might feel more comfortable about providing challenge or critical feedback to some units or departments than you would to others.

The Deputy Convener: I will bring in Lucy Hughes to speak about this issue.

Lucy Hughes (Engender): Thank you for inviting Engender to speak today. Before I comment on this issue, I am keen to point out that we are here to represent a joint response from Close the Gap and Scottish Women's Aid, alongside Engender. All three of our organisations work in the women's sector and have worked alongside the Scottish Government on gendering policy making for a long time, so we definitely have the expertise to speak to the issue of trust and power that Michelle Thomson has brought up.

One thing that I am keen to bring in on this topic is that the role of equalities organisations can be seen as tokenistic. There can be questions when we are invited into working groups and spaces, but there is not necessarily trust to share power and say what we can realistically influence. If we are brought into a discussion or policy development process, we need to understand what exactly is up for grabs, what has been decided already through budgetary decisions or manifesto commitments, and what we can influence—from a gender and equalities perspective, in our case.

That links to the point about skills in the civil service, and the burden that many civil society organisations have because they feel that they need to continually upskill civil servants on how to do gender inequalities analysis. It can often feel as if, rather than our being brought in as experts to feed into a process, the burden is on us to do some of the work that is in the remit of the civil service.

We know that that is a lot to do with the resources that are available to people, the training to which they might have had access and the consistent turnover of staff in different teams, but it is difficult for us, as a small organisation—although we are funded to do a lot of policy work—to continually respond to asks across the whole policy portfolio.

Gender inequalities apply to every part of Government, but it is a burden to come in and consistently upskill every single team. If those teams change, we often have to start from scratch and go through some of the basics around gender inequality. That means the need for equalities analysis can feel like a churn, as others have said in previous evidence sessions.

Over time, that erodes trust about how meaningful it is to be invited into spaces, and about what power we really have to change long-term policy decisions if we have repeated conversations over a lifetime of policy development.

Michelle Thomson: That was serendipity, Lucy, because I intended to bring you in on the thread of trust, power and decision making, as I have specific questions about your very fulsome submission, which I appreciate was submitted on behalf of Scottish Women's Aid, Close the Gap and Engender.

However, just to finish the point about how there could be a subliminal effect on bringing thoughts or decision making to the table, I want to ask about something contentious. When Parliament had its big debate about the Gender Recognition Reform (Scotland) Bill, I was surprised to find that no qualitative impact assessment had been done, over a period of six years, on the impact on women who had been raped or sexually assaulted by those with fully intact male genitalia in what they would consider to be safe spaces. I make no comment on the rights or wrongs of that—or on any of that debate—and instead I am exploring it from a decision-making point of view, because it is surprising that no qualitative impact assessment was done in six years.

My question to you and all the other witnesses is whether you have sought qualitative assessments in decision making. You mentioned equality impact assessments. Did you seek those and were you discouraged, or did you not seek them? How did that come about during a period of six years? I appreciate that you might not have been at Engender for six years, but I am interested in that, because it framed a decision-making process.

Lucy Hughes: I appreciate that that is a consistent issue that you want to look at, but the evidence that we are here to give today is not on the process of gender recognition reform specifically, so I would say that—

Michelle Thomson: I am interested in the nature of power and how it operates, and I used the Gender Recognition Reform (Scotland) Bill as an example of how we got to a position in which, within six years, it never occurred to anybody to do such an assessment. I am not saying that it is the case that it never occurred to anybody to do that, but it looks like it, which seems quite incredible, so I find it hard to believe. I am sure that people asked that question and said, "Maybe we should look at this." I am trying to understand whether there was a power dynamic at play. In my opinion

the three organisations do excellent work in giving voice to women. Was there a power dynamic at play in which you asked that question and were dissuaded, or did you just not ask that question about looking at that area? That speaks to the issue of trust.

09:45

Lucy Hughes: I am happy to answer that. The answer to that question is no, we did not ask those questions. An equality impact assessment was done for the bill process. How that was conducted was up to civil servants. That links to the discussion that we are here to have about what it means to do an equality impact assessment, who gets to feed into those and how evidence is gathered.

I could not comment on the specific EQIA for gender recognition reform. I did not prepare to talk about that today, but we could follow up with you after the evidence session in more detail. What I will say in relation to our views on gender recognition is that all three of our organisations were involved at all stages of the consultation. We gave evidence-based arguments as to why we supported many aspects of the bill—that was across all three of our organisations.

In relation to our role on EQIAs, it would not be commonplace for the third sector to run those or create them for the Scottish Government. I am not sure of the detail of how that particular process happened, as I was not at Engender at the time.

The Deputy Convener: If you can give an answer in writing, the committee would appreciate it.

Lucy Hughes: I am happy to take that up in writing.

Michael Marra: I know that Judith Turbyne is keen to come in. Michelle, do you want to continue in this area?

Michelle Thomson: That is fine. I had one more general question, which is about wellbeing and economics, but I am happy to hear from Judith Turbyne or Craig McLaren on this theme.

Dr Judith Turbyne (Children in Scotland): The issue goes back to the idea of power and funding and how that can have an impact. It is interesting. My feeling is that there is an intention in the Scottish Government to have the right conversations, and to listen and hear. One of the issues, which will have been discussed in many different forums at many different times, is the funding models that we have. Again, I know that you are having those discussions, but short-term funding and people feeling insecure are very likely to impact on somebody being able to be a critical friend.

The willingness to have those constructive and challenging conversations varies a lot across Government. You cannot expect everybody to take on board everything that you say, but you can expect to get feedback on why decisions have been made in the way that they have been, and that is sometimes a challenge. That is particularly true—we will probably come back to this later—in relation to engagement with children and young people. They often ask in reporting back, "We did this, so what happened with the stuff that we did?"

There is something about that feedback loop. The intentionality is often good but, when you are in a state of crisis—I would certainly say that we have been in crisis over the past three to four years—power begins to take over again. That is the nature of the world, so you have to keep batting that back. It is not surprising, but there is a challenge in building and keeping that partnership approach.

I will stop now, as I am sure that we will come back to many of those points.

Michelle Thomson: My last wee question is for Lucy Hughes. Your submission is excellent. I have asked about this a lot. I will quote you:

> "The collection and analysis of intersectional gender-sensitive sex-disaggregated data on women's experiences is central"

and it carries on. I feel that, in the short time that I have been here, I keep asking the same questions about routinely disaggregating data by sex, but get no further forward. If we do not know what the position is, we cannot begin to move forward. It seems as though we are continually making decisions with one arm tied behind our back. We do not know what the actuality is, because we are not collecting the data that would tell us. Is that your sentiment? What do you say in your submission about the quality of decision making for 51 per cent of our population?

Lucy Hughes: That is an important topic. Engender continually makes the point about the need for better data. That relates to the review of the public sector equality duty and the Scottish-specific duties that is under way with the Scottish Government. There is a routine lack of high-quality data on demographic information that is sex disaggregated and intersectional. That means information that records not only characteristics related to sex but also other forms of inequality. That helps policy makers to create tailored policy that has the best outcomes for everyone in Scotland.

We want the committee to put pressure on the Scottish Government to implement the recommendations of the National Advisory Council on Women and Girls. They are far reaching about what needs to happen. Data is one aspect of

improving what we record and make visible in our evidence base and therefore what policy is made a result. We are struggling with progress in that area and we are not seeing resource, investment and time put into questioning how some of those processes work in Government. The committee could have a strong role in restating the need to progress the NACWG recommendations.

In answer to the question about data, we are keen that, in its decision-making process, the Scottish Government does not reach for the easiest data sets out there, because they are often not robust enough to tell us about the lived experience of intersectional gender inequality. Evidence from organisations in the third sector and beyond have shown that that is very real, especially at the time of a cost of living crisis, with the legacy of Covid and 10 years of austerity policies across the UK.

We want much more strident progress on that and—as Judith Turbyne said—at times of crisis such considerations can be seen as additional extras. Government goes back to business as usual, where equality considerations and thinking about how we will look at who is impacted and who is missing out on funding fall to the wayside because they are seen as optional. The thinking seems to be that it is nice if you have time. As we know, however, the Scottish Government often does not have time; it is often reacting to crisis scenarios and is in a reactive space. The NACWG recommendations will build an architecture that does not allow that to happen. It will build in systems and processes that mean that that particular collection of data is not optional and cannot fall to the side or be regarded as nice to have. Instead, it will be a core part of Scottish Government business.

The sector believes that policy is only as good as the people who are represented in the data and the evidence that informs it. If someone's lived experience is not represented in the evidence that is gathered, how can the Government possibly create policy to respond to that? Housing, planning and many other big portfolios in Government fail to look at intersectional gender equality at all, or if it is mentioned, it is in a cursory way.

Michelle Thomson: That is QED on my opening question.

The Deputy Convener: Douglas Lumsden, do you want to come in with a specific supplementary question?

Douglas Lumsden (North East Scotland) (Con): Yes. It is on the fear of losing funding.

The Deputy Convener: Do you not feel that that has been covered?

Douglas Lumsden: No, I want to dig a bit deeper. Organisations said that they feared that their funding would be removed if they were critical of the Government. Are there any examples of that? If that really is the case, I guess that there is an issue with trusting whether consultation responses are as honest as they can be. I am trying to think about how we can get that trust back.

Rachel Le Noan: I would not be able to give you an example. I would have to get back to the people who made those comments to see whether that had happened in practice. However, based on the interviews that we did, there seems to be concern about what could happen if people were critical. Perhaps it is only a perception and it is not the Scottish Government's intention to give that impression, but it is important to raise the issue because it came through in three reports, so it matters to some people in the sector. I will just repeat the point that not all organisations said that; there are just some in the sector who feel that way.

Rebuilding trust is key, because we want to be able to have open and honest conversations—another point that we made in our submission—but it takes time to build relationships. Some organisations will have those relationships, because they are in touch with civil servants who have been in post for a long time and understand what the organisation does and what the impact of funding or a lack of funding might have on their functions. However, some are dealing with a churn of civil servants—that issue has come up a few times in the evidence that you have received so far.

We would like people to be given time to build relationships and engage with people properly, listen, think and learn from what people are saying about what is being done, what worked and what did not work. Once those relationships are in place, people will feel comfortable discussing any aspect of what might need to be looked at in relation to any decisions that must be made. However, we need to have an environment in which people feel that they are able to be challenging. The sector is not the enemy—it is here to help those decisions to be made and solutions to be reached. We do not want to be here again in five or 10 years' time, looking at the same issues that we are looking at now and dealing with the same issues about engaging the sector and the value of the sector. There is a huge amount of data, knowledge and expertise available in the sector and it needs to be fully part of the decision-making process.

Liz Smith (Mid Scotland and Fife) (Con): When the Fraser of Allander Institute, the Carnegie Trust and Audit Scotland came before

us, they were all clear about the paramount need for clarity of purpose in policy making—that was pretty much the first thing that they all said. In your relationships with Government, when you have assisted with policy, have you felt that that clarity of purpose was there in each case? If not, can you give us an idea of what the problem was?

Craig McLaren (Royal Town Planning Institute Scotland): Our main relationship—it is quite a close one—is with the planning, architecture and regeneration division of the Scottish Government. There is often clarity of purpose in what it is trying to achieve. Over the past few years, the key work that we have undertaken with it has been around the review of the planning system, which has been going on since 2016 and has led to a new planning act and a new national planning framework, and there has been clarity there.

The Scottish Government has taken a fairly flexible and collaborative approach to that. It has used us to engage with the profession and has given us grant funding to do so. There is an idea of what it is trying to achieve, but there is also flexibility around how that can be done. My experience of working with colleagues in the Scottish Government planning division is that they are willing to listen, learn and adapt, and to use us as a conduit for that, because we have access to the people who run the planning system in the public, private and voluntary sectors.

There is sometimes a lack of clarity in relation to one aspect. Quite often, I get a feeling that there is a drive to deliver the project—whatever the project is—without thinking through how it achieves outcomes. I sit on a couple of Scottish Government programme boards, and the risk registers are very much to do with the delivery of the projects rather than whether the outcomes can be achieved. A bit of work is required in order to figure out how to place the focus on the outcomes. The Scottish Government uses different models to try to make that work, including the theory of change model, which considers outcomes first and works back from that. There is a need for that outcomes-based approach to be embedded much more in the way in which the Scottish Government thinks about the delivery of its programmes and projects.

Liz Smith: Does anyone else have any comments on that issue?

Dr Turbyne: There is often a clarity of purpose at the start of a process. For example, in relation to the work that has been done on getting it right for every child, child poverty and the United Nations Convention on the Rights of the Child, you can see that there have been a lot of projects that involve a real vision of what we want Scotland to be like for our children and young people. It is more in relation to the implementation that the decision making falls down. That comes back to the outcomes-based approach and the need to keep our eyes on the preventative and long-term agenda, which is extremely difficult when we are trying to show that things are getting done and progress is being made.

10:00

Implementing ambitious policy is a skill and we should not underestimate its difficulty. No doubt, there are times at which purpose is not clear, but the issue is more in breaking things down into what we are going to do now, losing the long-term view and the focus on outcomes and prevention along the way.

Liz Smith: That is interesting, in light of some of the comments that we have picked up in private session—so no names attached—from former civil servants and former ministers. That has been highlighted in *The Times* newspaper this morning.

Because of the difficulties that you have just cited, do decisions sometimes have to be rushed, and not enough time devoted to thinking through—to pick up on Craig McLaren's point—exactly how things will be manifested in policy making. Is that a problem?

Dr Turbyne: Yes. At the moment, there is a real challenge across Scottish policy making. We have a lot of massively big and ambitious projects and we try to keep all the cogs moving. Public servants have to show some output. Sometimes, it is easier to show that by delivering a wee thing here or a wee thing there. That is natural and normal. At the moment, overall, the task of delivering everything in a timely fashion is unmanageable.

However, to reflect on timeliness, sometimes a timely decision that is 95 per cent good is better than a perfect decision that is 100 per cent good but takes 20 years. That is the opposite of what we want. It is about getting to that optimal sweet spot of having enough information—the data that we need—to make a good enough decision. My staff will be saying, "Oof, here she goes again," but it is possible to be really good by not striving for perfection. Perfection in decision making is not possible.

Liz Smith: That is an interesting point and an astute observation. Is it a part of the problem that the available data is not as good as it should be?

Dr Turbyne: Yes. To come back to that point, getting good strong data at the beginning will very much help in making the right decisions in the right order and in having the right impact—across portfolios, as well, which we have not really touched on. Children and young people are affected by everything. Getting that decision

making right, so that we do not have unintended consequences in other bits of policy making, is also quite difficult. Having the right data is helpful in that.

Liz Smith: Just on that point, with reference to what Lucy Hughes said, when a policy transcends several Government portfolios—for example, children and young people, or planning—how easy is it to get a common agreement on the delivery of the policy if there are conflicting problems?

Lucy Hughes: I am happy to speak to that. We have been working on mainstreaming for many years to encourage a gender equalities approach and a general equalities approach across all Scottish Government work. There are significant challenges.

For example, the equally safe strategy is not in a specific area. Although it looks at violence against women and girls, it covers the economy and lots of other different areas, such as housing and homelessness—the list goes on. One of our challenges is that, although the strategies are excellent and world leading, with a strong evidence base, there is an implementation gap. We go into discussions with colleagues in Government on specific issues. There may be a cursory reference to equally safe but not necessarily a change in how they have shaped that policy area because they have looked at that strategy. We do not want just an acknowledgement, but learning and adapting to what is said by such strategies as equally safe, which has specific learnings for all of Government to look at. Instead, it is often on the civil society sector and Engender to ask why something has not been mentioned or where the evidence is.

However, that is not the case in all areas. In some areas—for example, education—the equally safe strategy has been very well linked in. There have been strong examples of cross-collaboration. The issue comes down largely to leadership and to the competency of the civil servants in the relevant roles and how aware they are of the importance of that policy to the policy portfolio that they are working on.

Liz Smith: If we find ourselves in a situation in which a particular policy has failed to deliver the good intention, which sometimes happens, are there adequate processes to ensure that a proper review takes place to establish why the good intention was not implemented and to ask what will be done about it the next time, or do we need to make changes to the existing processes? One difficulty is that the Parliament's post-legislative facility is quite limited—for a start, we do not have a revising chamber, nor do committees have much time to look at what happens when a policy goes wrong. What could be done to mitigate that and to improve the process so that, if there are failures, we do something about them?

Craig McLaren: We have seen that happen, on occasion. There is pressure on the civil service to get things happening quickly. Often, there is no time for reflection or to take a step back and think through what has and has not worked.

I will give some examples. I have already mentioned the planning review. Before things were done, a lot of work went into thinking about what could and could not be done.

I come back to points that have been made previously. At the start of the process, we often have good policy; the issue is that the delivery of the policy is not thought through. I will give another example, which, again, relates to planning. We have a new national planning framework. Many people agree that it is a good policy framework that could make a difference, but no work has been done on how we deliver it, either from the point of view of the capital investment that is needed to put in place many of the projects and programmes that we want to put in place or from a workforce strategy perspective.

We have real concerns that there are not enough planners to deliver the framework—we have lost a quarter of planners in the past 10 or 15 years. In addition, from a skills and knowledge perspective, a lot of new things are required, so there needs to be investment in upskilling. That element is not often seen as being part of the policy programme. The policy programme is seen as being about the policy, rather than about the delivery of the policy. More emphasis needs to be put on delivery.

Liz Smith: That is helpful.

The Deputy Convener: Lucy Hughes said that we have strategies that are "world leading" and Craig McLaren said that we have "good policy" but surely that is not the case if how those things will be delivered is not thought through. Are they not simply completely unrealistic in that regard? In what way are they "world leading" if they cannot be delivered?

Lucy Hughes: That is a valid question, but it is not all or nothing. There are good pockets of work being done with the strategies; it is simply the case that not enough is happening across Government.

For us, when it comes to gender and equalities considerations, the equally safe strategy is a huge part of operationalising what the approach looks like in policy change terms. The issue is a lack of mainstreaming. There are ways in which Government can create changes and upskill across different areas. It is not the case that that is impossible or unrealistic; it is simply the case that,

with regard to the resource, the time and the approach, we are not quite there yet. We are on a journey and it is for committees such as this one to keep putting the pressure on and asking, "What are you doing about this? Where are we at with the national advisory council recommendations?"

A centre of expertise has been set up in the economy directorate, but no others have been set up yet. The process is in its early infancy. We must give the Government time to get up to the standard that it needs to be at on gender mainstreaming. It is not a question of saying, "There hasn't been enough progress, so we should scrap it. It's not good enough." The ideas are there; the issue is with the follow-through. We need to come up with solutions and to work alongside civil servants to create mechanisms, training and upskilling that will address those concerns.

Craig McLaren: I stand by the fact that I think that, from a planning perspective, the policy ambitions are good and laudable. It is not rocket science. It is about having a decent delivery programme that gives an indication of how the policy will be resourced.

The national planning framework in Ireland sits alongside a 10-year capital investment programme, so the vision is in the national planning framework and the capital investment programmes goes with it. If that can be done in Ireland, why can it not be done in Scotland? We have been asking the Scottish Government that through the national planning framework process. It is about aligning that resource and making sure that the skills and human resources are there to make sure that it is delivered. That can be done.

Rachel Le Noan: I go back to Liz Smith's point about learning about failure. From where we stand, we are still at the stage where we do not really understand how decisions are taken and why. We do not need to agree with a decision but we need greater understanding of how and why it is taken.

As well as learning about failure, we need more learning about what is working well. We have examples of good practice such as the sustainable development goals and how that project worked. We were involved in it and it was good, but then what happens? If you have done it once and it worked, why can we not hear more about it? Is the practice being used within the Scottish Government? We do not know.

Dr Turbyne: It is quite possible to have good policy and for it not to be implemented well. The Christie commission said that we are going to have to do more with less, and, at the moment, we are doing too much more with too much less. Where do we change what and how we do, so that we implement the good policies that are coming out in many parts of the Government?

We can trace the issue back to the Christie commission. The civil service is pretty stretched and we are seeing a lot of churn. It is true that we do not want everybody to stay in the same portfolios forever, but we want a bit of continuity so that we can start to build up expertise. There is a challenge, in that we have to ask ourselves how we get enough to do what we need to do; I do not think that we have that at the moment.

The Deputy Convener: Some of our earlier discussion was about trust between the Government and your organisations. I am also concerned about the public's trust. We are talking about big policy regimes. For example, I am thinking about the Promise to care-experienced young people, where there is a real frustration with its lack of progress and it not being delivered, but there is political unanimity that it is the right thing to do. Do we risk the trust of organisations and the public if we set ambitious change directions but have not thought about how we might deliver them?

Lucy Hughes: That is something that we have thought about a lot in relation to the number of high-level commitments there are on, for example, gender inequalities mainstreaming. The Scottish Government has made a host of commitments but the issue is about what we call deep culture or the deep structure of the everyday business of government, how that is implemented through chains of command and how we involve public bodies. There might be buy-in at a certain level, whether that be at the political level or at director level, but the challenge is how we create buy-in and understanding of how important whatever the policy area might be through implementation. So, for us, although there might be a high-level commitment to gender inequalities mainstreaming, civil servants who are working on the granular detail of something might not understand how to do that work, why it is important and why they are being asked to do it with stretched resources and time.

To go back to Liz Smith's point on some of the discussions with former civil servants and ministers, at the session in February, somebody spoke about the equality and fairer Scotland budget statement, which is a useful tool. However, it felt as though there was not enough time to do it justice. We have the knowledge but we have to allow the civil servants in those roles to use it to create policy design and explain why inequalities mainstreaming is important. We cannot assume that, because someone at a senior level has made that commitment, every single person who is delivering it gets it.

10:15

Craig McLaren: I want to give an example of how we need to be careful about policy ambitions and public trust. I am acutely aware of the fact that public confidence in the planning system is sometimes quite flaky—it is a contested space, if I can put it like that. The Planning (Scotland) Act 2019 provided for local place plans, whereby local communities have the ability to produce their own plans for their areas. That is a great thing, which we have supported and are keen to make happen on the ground. The issue that we have is that that policy ambition is not supported by resources at local level.

Planning authorities are trying to do what they can in a context in which they, too, have very limited resources. From a planning profession perspective, that worries me, because it could hit the confidence of the public. People might think that it is an example of the planning system not working for them, not because the policy is wrong, but because the resourcing has not been put in place to support the implementation of the policy ambition.

Ross Greer (West Scotland) (Green): I want to pick up on what Judith Turbyne said about the Christie commission and the wider question of policy ambition versus delivery. It feels as though there is a tension there. If we are to improve policy delivery and review an analysis of that it will require additional capacity. Civil service capacity will not get any bigger, certainly for the remainder of the current parliamentary session. The civil service in Scotland is bigger than it has ever been. We know roughly what our finances will be until 2026, and the civil service head count will probably go down.

At the same time as rightly advocating for improvements in policy delivery, your organisations all also legitimately advocate for lots of new policies. There are lots of really good ideas for policies that would improve people's lives if we delivered them. However, there is a clear tension there. If we are to put more resources into improving the quality of how we do what we have already committed to doing, the resources will not be there for the new policy ideas.

Instead of adopting new policies and putting constant pressure on Government to come up with something new and flashy for every budget and every programme for government, should we be doing less better? Have we hit the point in devolution at which the capacity will not increase? We recognise that, as the Auditor General has pointed out, there is a gap between policy ambition and delivery. Should we focus on doing what we have already committed to doing at a much higher level of quality, instead of adopting new policies, regardless of what the merits of those new policies might be?

Dr Turbyne: I can start. It is a difficult question. If you asked all of us, you would find that we all had different priorities. What is a priority and what is not a priority? However, it is probable that we are at the stage of having to ask the hard questions. What are the priorities? The Promise has been mentioned. That is a super-big priority. We do not want to let that slip; we want to implement it properly. There will be many others as well.

Christie talked about making choices, prioritising and so on. We must ask ourselves, "If we know what our resource is for the next period of time, what can we legitimately deliver? How can we deliver that with quality?" That is how we get trust. We will lose some people along the way if there are things that we do not do, but if we deliver some things well—for example, if the Parliament has an impact on child poverty over the course of the parliamentary session, or if good progress is made on delivery of the Promise—that will engender trust across Scotland.

There is another challenge. I sound as though I am channelling Christie—I promise that I did not write the Christie report. A fundamental issue is whether it is time that we started to ask how we resource this work. Some of this work is brilliant. The ideas and notions that we have—and the challenges and ambitions—are brilliant, but we need to consider whether, as a nation, we are willing to start having a conservation about whether we can raise slightly more revenue. Are we brave enough to have that conversation? We might not be at that stage yet, but it is a question that has to be asked. If we do not raise more revenue and do not have more resources, we will have to prioritise. I will not fight with my colleagues about what will be top of that list.

Lucy Hughes: On that point about prioritisation and doing more with less, which I think is how you phrased it, given the historic commitments around mainstreaming the work on gender inequalities, I think that it is possible to do a lot within the current resources.

Although we have bigger ambitions, Engender, Close the Gap and Scottish Women's Aid work alongside civil servants to look at what is happening currently and how it can be harnessed in a different way. That could mean looking at the roles that civil servants have—working alongside the national advisory council—and considering how things can be structured differently. We are not necessarily asking for huge additional investment; instead, we are asking for the resources that are available to be used in a slightly different way.

On Judith Turbyne's point, during times of scarcity or crisis, equalities and gender considerations fall off a cliff—to put it bluntly. They are not primary or core considerations, but are seen as nice to have. Many colleagues would agree that involving children and young people is the first thing to go when considering different issues. However, if doing that is not seen as a core part of business, the unintended consequences will lead to more work down the line.

For example, Covid revealed that when a crisis hits and the resources to tackle it are limited, equality impact assessments and human rights assessments go out the window. If we look at how those resources were put together, we can see that it was a case of: "Well, we just need to get this done." Covid has caused a legacy of women's rights being eroded: as a result of not considering them at the time, we now have to pick up the pieces, with increased investment. We all want to safeguard against that, and we do not want human rights and equalities considerations to be seen as optional and nice to have; we want them to be a priority, always.

It is not always about asking for a huge amount of funding, and instead it is about keeping what is already there when resources are more stretched. All of our organisations are concerned about that.

Rachel Le Noan: That is a very good point, and I agree with Judith Turbyne that hard, brave and different questions have to be asked. At the moment, the sector has limited resources and capacity.

The social renewal advisory board came up with a list of recommendations, and we got involved in that, but the new thing is the national strategy for economic transformation, so the sector felt the need to direct resources into inputting into the working groups on that. However, we are not sure what will happen to the recommendations that were made in the SRAB document. We feel that we always have to catch up with new policies when we are not sure what is happening with the old, good ones that were there before.

This inquiry focuses on the Scottish Government, but some of the principle relates to partnership working and how that is used to work on big policies. Across the sectors, we can all do better.

Ross Greer: Thanks. I am going to ask Lucy Hughes a follow-up question, but it applies to all of the witnesses, so they should feel free to chip in.

I am going to be a bit challenging. I cannot remember a time that Engender advocated for a new policy that I disagreed with. However, I want to go back to the question of whether we should do less but do it better or if we should do more. If the Scottish Government followed through on previous commitments that it has made and improved policy delivery in areas that you have already worked to secure commitments on, would your organisation put less pressure on it to commit to new policies?

Ultimately, there is a political trade-off. The reality of politics means that the Government feels pressure to constantly commit to new policies, but if the organisations that are able to put pressure on the Government directed that pressure towards asking the Government to follow through on delivering commitments that it has already made, perhaps there would be a shift in political focus, and then there would be the resource and public sector capacity that comes with that. However, that requires give and take on both sides.

Lucy Hughes: That is a good question. We have been doing that for many years. For example, colleagues in Scottish Women's Aid have been trying to follow up on specific asks, such as a leavers fund for women who experience domestic abuse. The Government committed to that in 2020, but three years later it has not materialised. We have to repeat the same messages—all three organisations sometimes feel that we are on repeat.

Holding the Government to account on previous commitments is pretty much what we do every day. We do not often have the space to create proactive ideas about what we would like to happen, because we are in a reactive space in which we consistently have to remind civil service teams and ministers about what they have already committed to. That is why I keep bringing up the national advisory council, because there was a huge set of recommendations about how effective Government decision making should work, yet here we are, however many years down the line, and that work is only just getting started. Much of that resource was reallocated elsewhere for the crisis situations that have occurred over the past few years.

I would say that we are very much in that space that Ross Greer has outlined. Most of our work right now is around trying to revisit commitments that have already been made rather than getting the space to imagine different possibilities and put forward ambitious new policy.

Craig McLaren: Going back to the previous question, one of the issues that we have is about the balance between the short term and the long term, which is not news to anyone—we have been talking about it for some time. However, there is quite often a demand for the Scottish Government to do things quickly, in the short and medium term, whereas the real value in a lot of what we do comes from taking a long-term approach.

The issue with a long-term approach is how to show the progress that you are making in the short term, so there is a bit of a dilemma there as well. However, one of the key things that the Christie report talked about was preventative spend and we all still talk about it but I am not absolutely convinced that we put it at the forefront of decision making as much as we could.

I argue that town planning is preventative because, if you design places in a way that can make people healthy, you do not have to pick up things in the health budget later on, for example. There is a point to consider about how we can join things up a bit better and think about things a bit more strategically to embed that preventative spend.

I also think that we have probably got far too many plans. If we look at the type of things that planners have to deal with on a daily basis, there are all these different plans that have to align with one another, and quite often they do not align—they come from different perspectives. Quite often, the different plans will have engagement exercises with communities around the same time, asking similar questions. We could try to join up some of those plans and some of the exercises that lead to the development of those plans.

Ross Greer: Thank you very much. I have one more question. Is there time, convener?

The Deputy Convener: Yes, there is.

Ross Greer: I want to pick up on what was in the SCVO's written submission about the length of time for consultations. You did some analysis around comparing the 2004 commitment, which I think was for a 90-day consultation, to more recent commitments.

There is a tension between two types of criticism that the Scottish Government comes under—as well as the Parliament, often. One is that there is not enough consultation, co-design, or co-development to get buy-in from key stakeholders; the other is that it takes far, far too long to deliver anything in Scottish politics—the legislative process takes too long and policy change takes too long.

There is an obvious tension between those two criticisms, so how would you suggest we wrestle with that? If we are to do more consultation and more co-design, we might end up with better outcomes, but it will take longer, and if we are talking about child poverty, for example, or about a lot of the issues in our justice system, there is an obvious and urgent pressure to do something right now.

How would your organisation suggest that the Government wrestles with that tension? This is probably simplifying it far too much, but if you had to pick between the two—between a lack of consultation to get buy-in or taking far too long—what is a greater challenge for Government at the moment?

Dr Turbyne: That is a very good question—what makes good consultation and when should we do it?

Sometimes it can feel that there are similar consultations on similar issues—there is a bit of repetition there—so there is a need to be quite clear about what the consultation is for.

I know that there are things within statute that you need to consult on, but how do you learn from what has gone before? There is sometimes knowledge there already and you are consulting on something about which you already have data or knowledge. We need to think about that first bit and having the idea of ticking that off.

For instance, when we talk about engagement with children and young people, what we find is that there are little pockets of lots of engagement with children and young people. However, what we need is more of a focus on how we can engage with children and young people over every policy area in a consistent, clear and coherent way that does not have unintended consequences and where we are not asking the same questions five or six times. I think that it is a bit about the idea of getting upstream of where you want to be.

I am definitely of the view that you should consult on something that is new and for which you need information, and then you should feed back on that. However, sometimes, a short consultation is probably quite good if you are asking about something in particular. There is something to be said for looking at the way that consultation is done and ensuring that the very first step is to ask, "What have we done before, what information do we have, and what do we really need to ask about?", so that we can learn from what has gone before.

10:30

Rachel Le Noan: I definitely agree with the point about repeating ourselves. You need to look at what is already there, given the issues that we are dealing with, on which the sector has been providing evidence for years. You need to ask what is the point that you now need to consult on.

On the feedback issue, people provide evidence and data, but they do not know what happens with that. My point is about understanding what is happening with the data we provide, what it is used for and how it is used. On the criticism that policy takes a long time, maybe I am just too optimistic, but I think that if you explain to people a bit more about what is being done with what they

provide to you, maybe they would be less quick to criticise if it takes a bit longer.

At the moment, we do not have that feedback—it could be much better. That is key when it comes to consultation. Consultation is also just one tool; you could maybe think of innovative ways to engage with people and involve communities.

Ross Greer: I will jump in on that point. The Government's main consultation portal—consult.gov.scot—has the "We Asked, You Said, We Did" page on it. From a lot of the feedback from stakeholders, it sounds as though, for the direct stakeholder consultation, such as the kind that your organisation has been involved with—as opposed to the general public consultation that is done through the portal—that follow-through is not happening as much. Is that the case? Do you feel that the "We Asked, You Said, We Did" approach is not really your experience of Government consultation?

The Deputy Convener: Lucy Hughes and Craig McLaren are looking to come in, although maybe on a slightly different point. Rachel, do you want to respond and then I will come to them?

Rachel Le Noan: Yes. Whenever we comment on the programme for government—for example, if we prepare some asks and recommendations for consultation—quite often, we do not get any information on what is being done with that. It could be the case that the Government cannot do what we have asked because of some reason or another, but I go back to the point about the need to understand what is happening.

Lucy Hughes: I go back to the original question. It is sometimes about asking different questions. I agree with Jude Turbyne that sometimes it is consultation for the sake of it, given the volume that third sector organisations such as ours have to go through in order to influence different processes. To have to consistently be consulted on a wide-ranging number of areas is a huge burden across the whole third sector and all of civil society.

I completely agree that, with a lot of the stuff that we are saying, we are just repeating ourselves. We are quoting our own evidence again and again. I sound a bit like a broken record, but I keep coming back to the point about what we need to do in Government to create different strategic ways of working. We need to upskill the civil service teams that create the consultations so that they can write them in a way that reflects where the data gaps are. They need to have done their equality impact assessment right at the start. That involves saying, "Okay—we know this about women's lives in that area, but we don't know anything about this specific group and what they're experiencing."

That is what the consultation should be based on. The Government should not put out a consultation just because it has to as part of the process. Consultations should be much more honed and used intelligently for policy design to create the best possible first draft. Much of the delay comes from people having to go back and challenge, rewrite and deal with unintended consequences. If we can do that at the start, we will ask more intelligent questions around, for example, equalities. That means that, at the end, we will not have a policy document—such as the national strategy for economic transformation—that is gender blind. In such cases, women's sector organisations such as ours have to think, "Okay—where do we go from here?". We have to go back and look at ways to influence further.

That is what I would say on your first question. I cannot quite remember what the second question was, if you want to follow up on it.

Ross Greer: I am trying to knit them together into something much shorter, to be honest, rather than just waffling at you.

The core point was about the tension between consultation and the length of time taken for delivery. A lot of the time, the Government legitimately comes under criticism for not moving with the urgency that organisations believe is required in those areas. However, when there is urgency, people feel that they have not been able to buy into the process.

Lucy Hughes: Yes, I know. I do not think that it is an either/or. The length of time is to do with the lack of strategic thinking around which questions are being asked. We should not have to choose between not being involved and it happening very quickly in a way that does not create participation or use expertise from the civil society sector, and having to wait for three or four years for commitments to be followed through on.

I do not necessarily agree with how you framed the issue as a choice between one approach and the other. We need to look at why that length of time is needed in the first place to create intelligent policy design. Are there things that we can do to reduce that timeframe by asking better questions and using tools such as equality impact assessments much more intelligently and robustly at an early stage? It saves so much time down the line if the resource and skills are there at the start.

Craig McLaren: Again, I want to make the case for an approach that puts engagement much earlier in the process, because we can save some time at the end by doing that. When we do staffing planning, my ideal scenario is that we use a charrette model when we are trying to create a vision for a place. I think that that could work for almost any policy approach.

You have a gathering of all the key stakeholders over an intensive period of time—a charrette lasts for three or four days—and you talk through the options, the potential and the constraints and come up with a vision for what you are trying to achieve. From that, you can work out what your outcomes and outputs are going to be. The important thing is that it becomes a conversation. From there, you can start to identify who does what, what the responsibilities are and who will be providing resources for things. The conversation continues as a dialogue based on milestones that are set for that period. You can monitor what has been said, which makes it a much more intensive conversation, and at the end you have buy-in and commitment for what has been decided and you have the views of all the people who will be affected. They might not all be totally satisfied with the outcome but, from having that conversation, they will appreciate why the decision has been come to.

Ross Greer: On the question of follow-through from consultation feedback, it sounds—certainly from your written submission—as though the national planning framework 4 process was perhaps quite a good example of that. Did you feel that you were getting some kind of direct response to what you were feeding in that said, "Yes, that has now been adopted," or that explained why it had not been adopted?

Craig McLaren: There were several aspects to that. We obviously tracked what we had said to see whether it had been lifted or used, and there was a bit of that in NPF4. We also talked to officials a lot and they would often tell us whether they were or were not going to go with something, although they might not always tell us the reasons behind that.

An interesting thing that was done with the draft national planning framework was that a document was published that looked at all the different consultation responses that had come in and gave the reasons why changes were being made. That was a really useful way of tracking what had been said, what had been done and where things were going, so I think that NPF4 was a good example.

Douglas Lumsden: On the point about consultation, you said in your submission:

"RTPI Scotland would advocate for consultations to include draft delivery programmes as a matter of course."

Do you not feel that the Government would be criticised for predetermining the outcome of consultations, if that was in there?

Craig McLaren: That was the argument that was given for not having a delivery programme in the national planning framework. I cannot see that. Personally, I think that if you have a policy, you have to show how you are going to deliver it. We have had those discussions already. There is no harm in setting out what you are trying to do and how you are going to deliver that. You might be criticised for it being seen as a fait accompli, but I do not think so. If you are using it as part of the discussion and debate, the delivery programme can be changed as well, to meet the needs of the policy ambition.

Douglas Lumsden: Would others like to see the same thing—a delivery plan as part of the consultation?

Dr Turbyne: It is not something that I have thought about, but it is an interesting idea. Perhaps it comes back to building those relationships of trust. If you are able to have those open and honest conversations, it would be fine to have a delivery plan in the consultation, because it would show in a concrete way how it could look, which would be a good thing to get your teeth into.

We have talked in different ways about trust. Across different parts of the Scottish Government, there are very good levels of trust. At the baseline, if you have that bedrock of trust, including a delivery plan in that way will not be seen as a fait accompli; it will just be seen as an example to show, "If we did this, this is what it would look like," which could be helpful. That is just me reflecting back on the idea.

Douglas Lumsden: My next question is about the NPF—the national performance framework, as opposed to the national planning framework—which I believe should be at the heart of all decision making. Is that how you see it? In your organisations, do you refer to the national performance framework at all times when you put in submissions to the Government, to remind it how it should be focused on the outcomes of the NPF?

Lucy Hughes: There is a consultation under way to look at reviewing the different national outcomes. Historically, Engender has not always used the national performance framework because only two of the statistical indicators directly relate to women's equality, so it is very limited in looking at gender equality. We will make that point in our response to the Government.

At the moment, the national performance framework is not mainstreaming gender enough into all the different outcomes that it looks at. Its purpose was to operationalise the sustainable development goals, yet far more of those that linked to gender equality were not included or referenced in the NPF. There are some questions for us about how fit for purpose the NPF is in terms of other commitments that the Government has made on gender equality mainstreaming. The upcoming consultation raises the opportunity to look critically at that and to align the NPF with all

the other commitments that have been made, so that they speak to one another and are not in contradiction or in tension with one another.

Dr Turbyne: The NPF is not a perfect tool, but it is an outcomes-focused piece of work, which we are keen on. We use the NPF regularly and look at it a lot. We think that there are outcomes that should be sharpened up or added to it. However, I have worked in many different countries, and to have that framework is powerful. We should be making it as good as we possibly can in order to be able to deliver for women, girls, children, young people and others.

Craig McLaren: I will be honest: we probably do not refer to the NPF enough. As you have already mentioned, we have another NPF—the national planning framework. I like the idea of it and the concept of it, and I like what it tries to do. However, sometimes it can feel a wee bit nebulous. There is a need to try to make it real in terms of how it relates directly to certain policy issues and certain ambitions.

Although I am a great fan of outcomes-based approaches, we need to remember that they are very difficult to put into practice, and we are still struggling with that. I do not know how many years it has been since the national performance framework came in—I think that it was introduced in 2007. There is still a bit of work to be done on how civil servants, organisations and people like us interact with it, use it and understand it. We need to see how it becomes the overarching context for what we do. In some ways, that is a culture and behaviour change issue. We are still not 100 per cent there yet. That applies to everyone across the board—I am not just criticising the civil service for that. That is because it is a difficult thing to do, but it is the right thing to do.

Douglas Lumsden: Are organisations trying to align with the NPF, or is it seen as something that is for the Government to deal with?

Craig McLaren: I see it as something that my members should be trying to achieve; we have a role to play in that. Sometimes, the difficulty lies in figuring out exactly what our role will be in achieving certain outcomes, and there is a difficultly with others appreciating the role that we can play.

I always have a bit of an issue with the perception of planning: people do not always see it as a positive and constructive thing that enables things to happen. A lot of my job in relation to the national performance framework is missionary work: I try to show people that planning can help them to achieve something and that we have a role to play if they help us to work with them. We need to get away from some of that—dare I say—silo-based thinking so that we can have a better understanding of where different people fit in and what they can contribute. If we get that right, I think that that would make a major difference.

Douglas Lumsden: My final point is on financial transparency. Rachel Le Noan, in your written submission, you spoke about a budget line being reduced by £800,000 and said that

"the impact of the budget reduction was unclear."

How can the process be improved so that we can follow the money more easily?

10:45

Rachel Le Noan: That is a big issue for us, and it is one that we have been pushing for years. We are working with the Scottish Government on it at the moment, and I understand that the Government's third sector unit is doing some work to figure out all the flows that come to the sector. However, if my understanding is correct, the financial systems that are used are not helping us to get the whole picture. That is just an example: work is being done, but the systems are working against it.

In a recommendation, it was suggested that the Scottish Government use the 360Giving platform. All the funds from the SCVO are on the platform, but we would like others to use it, so perhaps more funds that come from the Scottish Government could be on it. I understand that local authorities can use it, too. If more people populated it, that would help in getting the whole picture. At the moment, we do not have a full picture of all the funding.

Douglas Lumsden: Your submission also speaks about potentially being funded through the Scottish Government and local government, and it not being clear where the overlaps are, which is not an efficient way for the Government to spend its money.

Rachel Le Noan: Yes. It would help all of us to understand what is happening, and it would provide a bit of accountability. At the moment, we are not yet able to get the full picture. I know that work is being done, but there is more to do.

The Deputy Convener: We move to questions from John Mason.

John Mason: The committee has been looking quite a lot at how things work within Government. Today, you are mainly commenting on how Government as a whole relates to you. I was interested in SCVO's point in its written response that it would be

"helpful for the voluntary sector itself to get a better understanding of how the Scottish Government works and how decisions are indeed taken",

which is kind of what we are trying to do here. Does it matter to you whether it is civil servants who are the main people who lead on policy, with the minister trailing along behind, or whether, in other cases, it is the minister who drives things and the civil servants trail along behind? Does that impact on you?

Rachel Le Noan: I had not thought of that, to be honest. We do not have enough understanding to begin with—full stop—so we do not know whether it is civil servants using our evidence or whether evidence has been provided to the minister. It is about going back to basics: we need basic transparency and feedback on what is happening within the Scottish Government. That would be great.

John Mason: If you feel that you have won over the civil servants on a particular question, can you take it that the minister will just agree with that, or have you not had that experience?

Rachel Le Noan: I do not know whether I can comment on that.

John Mason: That is all right.

Rachel Le Noan: If you have supportive civil servants, it might be a sign of a good relationship. It is a good relationship if you feel that you can have an open and honest conversation, whether you agree or disagree with the decision that is taken at the end of it. What we need is more understanding around the decision-making part of the process.

The Deputy Convener: I think that Lucy Hughes is keen to come in.

John Mason: I was going to take Craig McLaren first, if that is all right?

The Deputy Convener: Of course.

John Mason: I assume that, due to his area being quite technical, he deals mainly with civil servants and the minister is more in the background. However, perhaps that is not a fair reflection.

Craig McLaren: We talk a lot to civil servants and we have a good relationship with them. One of the interesting aspects of the civil servants whom we deal with in the planning division is that many of them are planners and experts, so there is no shift in our approach. They know the technical detail about issues, so we can have a fairly detailed conversation with them on certain things.

I find that civil servants never give you a straight yes or no answer, because they want to refer the issue to the minister afterwards. That is what they do—it is as simple as that. Certainly, when I have been involved in meetings with ministers and civil servants, together or separately, they seem to be locked in together. I have never really seen any differences of opinion between them. That is what the civil service is about.

John Mason: That sounds positive. Ms Hughes?

Lucy Hughes: Like others, I have not thought specifically about that question in advance. I would say that ministers are able to provide leadership on key issues. As much as we can foster relationships with civil service teams—we have great relationships across Government—if someone leaves their post, we need that accountability and that line of sight to know that the buck stops with the minister who covers that directorate. Ministers need to understand the detail and to know exactly what is motivating their civil service team.

That is so important when it comes to mainstreaming gender equalities, because that needs political leadership. It needs ministers to buy into that and to lead from the front, so that civil servants are not trying to advocate from within. That is a really difficult thing to do. Even if we have one good relationship with a civil servant who really cares and understands, they are not able to change the whole direction of the directorate that they are in; that is for the minister to do. The minister needs to have that as a leadership goal. It is really important that they can step into that role and feel that they understand gender inequality and how it intersects in Scotland, how their area relates to that and what they will do with their civil service teams to work on that. Otherwise, we as a small organisation are having to deal with civil service teams. How big is a civil service team? It is absolutely huge. How could we possibly foster enough relationships across those teams to lead our inequalities—

John Mason: Would you say that the relationship that you build with civil servants is more important than the relationship with the minister?

Lucy Hughes: No, I would say that they have different roles. There is a leadership role for ministers in terms of creating enough resource, creating the structure for the way that their civil service teams work and prioritising different areas. One civil service team is not able to make that change from within, because it is constrained by what it has been set by a minister. That is the accountability mechanism, which should be there. Those are two very different relationships that we as a civil society organisation have.

However, I would say that a civil service team is much less stable in that a person could leave their post next week after we have spent months or years trying to advocate for a certain policy change. If the minister has bought into that

change, though, that priority will still be set when the civil servant changes. Therefore, ministers should have a level of accountability, especially for mainstreaming gender equality across—

John Mason: Okay. Thanks. Dr Turbyne, did you want to come in on this point?

Dr Turbyne: Yes, very quickly. Lucy Hughes said quite a lot about the leadership role, but both relationships are important. The civil service is very important when it comes to the detail. A minister cannot be expected to have a detailed overview of a whole policy area, so the civil service is extremely important in that regard.

We have talked about the churn of civil servants. We have seen a recent case in which ministerial churn had a massive impact on the funding round for children and young people. Discontinuity in that regard is quite a difficult issue as well.

We need good relationships with both. My feeling is that, if we have good leadership at the top and we have a good, strong civil service team—that is true of most of our relationships—things are very positive.

John Mason: That is helpful; thanks. We have already discussed how we can make longer-term decisions so that it is not all about the short term. You have all recognised that that is a problem, but I wonder whether any of you have solutions.

We had the example from New Zealand of civil servants setting out a longer-term plan—not a plan, but the options for a sector. That work is not connected to the minister. That is never done in Scotland, because everything that civil servants do here comes through ministers. Does the New Zealand approach sound feasible, or do you have any other suggestions for how we can get longer-term planning, given that all members of Parliament are elected every five years?

Dr Turbyne: I had not heard of that example. There is a need to set out a vision that goes beyond a session of Parliament, because the things that we are investing in are meant to be preventative and long term. There are areas of disagreement across Government, but there are quite a lot of areas of joint buy-in. We could have a long-term vision for children and young people, for child poverty and for what we will do over the next 10 years. I am not talking about having a detailed plan. That might help us do a prioritisation exercise to identify what cannot slip, what might be able to slip and what might be able to move, and to have that overall vision. I do not know how that would work in practice, but it sounds like a good idea.

Craig McLaren: National planning framework 4 is a fairly useful example, as it provides a vision for the next 20 to 25 years. It was produced through quite a collaborative process, both in the technical field and politically. The responsible minister at the time, Tom Arthur, took a lot of time to work with other parties.

On some of those issues, we probably have more in common than we think and we are not that far apart, so we should think about how we can establish a collaborative approach. If there is unanimity on lots of issues—perhaps not on all issues—that might result in a vision that, once agreed, can provide a framework for decision making. If we can work much more collaboratively and—dare I say it?—depoliticise some issues, that can make a difference.

John Mason: That sounds quite good, but that might be easier when it comes to planning, as buildings take a long time to build.

Ms Le Noan, I think that one of your problems relates to year-to-year funding and such things.

Rachel Le Noan: Yes. That is why we are asking for fair funding, and multiyear funding is part of that. When you take a long-term approach, you consider everything. Longer-term funding would probably help in working towards a vision and in freeing up resources for organisations on the ground, as they might not have to report every quarter or annually on the funding position.

Longer-term funding would free up resources and capacity, and people would be able to work towards a vision. It would also probably help in building the relationships that we need between institutions. As we have said quite a few times, at the moment, we might rely on individual civil servants and on personalities, but partnership working between institutions needs to be embedded so that, when someone leaves, there is still collaborative working between sectors. A long-term vision would help with that. We will always have to react to decisions and to make short-term decisions, but that does not prevent us from having a long-term mission.

Lucy Hughes: The New Zealand example is interesting in that it shows that a civil service team's remit could be expanded in relation to the advice and expertise that are provided either to new ministers who are appointed or to completely new elected Governments. Parts of Government business will not change as a result of a change in political Administration, but there is often a need for the whole civil society sector to continually say the same things.

The national advisory council has spoken about creating gender expertise in centres. In a previous evidence session, someone spoke about policy anchors, in which particular civil servants with, for example, gender expertise are guiding other parts of the civil service and ministers on how to embed

certain frameworks. We should not rely only on political leadership for everyday parts of Government business. For example, furthering equality should be the business of Government every day, no matter which Administration is in place. We have to safeguard that by building mechanisms that civil servants can use to create sustainable and long-term in-house knowledge, with staff being upskilled across policy portfolios so that they can continue the work. Yes, different ministers with different priorities will lead the work, but the civil service will have the raw skills ready to go for—

John Mason: Why is that not happening? Are civil servants not incentivised properly?

Lucy Hughes: I do not think that it is about individual civil servants. The issue is the way in which Government is structured. What is prioritised in job descriptions? Who is being recruited? Once people are in post, what is accessible to them? Do they have time to upskill? Do they have time to look at equality impact assessments so that they know how to do them well and thoroughly? Do they have access to the data that is needed to make decisions?

John Mason: Training and upskilling have come up previously.

Lucy Hughes: That is a huge part of the issue. We cannot expect everything of someone who does not have the tools. Organisations such as Engender, Scottish Women's Aid and Close the Gap consistently have to do that work, almost on behalf of Government teams, because there is not the in-house knowledge. I think—

John Mason: Thank you. I would like to ask about something else.

The pandemic has been mentioned, but the witnesses have given slightly different views on their experiences of it. On the whole, SCVO's view was positive, because you felt that decisions were being made under pressure and that the third sector was maybe being dealt with a bit more fairly, whereas I got the impression from Ms Hughes' submission that corners were being cut. How do we tie up urgency and better decision making? Mr Greer was talking about urgency earlier. Was the experience during the pandemic positive?

11:00

Rachel Le Noan: We heard that some organisations had a better experience of partnership working. They felt that they were trusted more to deliver services—that funding came with less bureaucracy attached to it and that there was greater trust. That will not be the case for everybody. I have heard about different experiences, but that is the point that we are making. That is why the inquiry into Covid might be something to keep an eye on. We might be able to learn something from it about what worked and what did not work. That is the learning bit. It will be interesting to see what is happening with that, because we hear about different experiences. However, yes, some organisations had a better experience during the pandemic.

John Mason: Ms Hughes, was it all negative as far as you are concerned or were there positives?

Lucy Hughes: I would not say that it was all negative, but the pandemic has had a disproportionate impact on specific groups, such as women. There is so much evidence that women's rights have been actively eroded over the past five to 10 years as a result of austerity, the Covid pandemic and now the cost of living crisis. Those have been consistently putting at extreme risk hard-won rights for women and other marginalised groups in Scotland.

John Mason: Do you want to come in on that, Dr Turbyne?

Dr Turbyne: Yes, very quickly. I worked for many years in international development and humanitarian disaster relief. The two things are not mutually exclusive. When you are responding to a crisis, you need to start at the beginning and ask, "What is the most preventative way that we can respond to this crisis?" In some cases, some of what happened during Covid—in terms of how things were dealt with—was positive, but, in other areas, we failed to take that preventative approach from the very beginning. It is the same discussion, really, but you just have to do it in a slightly different way.

Craig McLaren: On the emergency response aspect, we had a good relationship with the Scottish Government. We formed a short-life working group—an advisory group—with the minister, civil servants, the Convention of Scottish Local Authorities and Heads of Planning Scotland. We were kept up to date fairly regularly on how things were going, and there was discussion about the things that had to change in the short term—changing regulations for different things—and those were discussed openly and agreement was reached. The group allowed us not only to have an input but to keep an eye on what was going on and what the thoughts of other stakeholders were. From a process perspective, it was useful.

The Deputy Convener: The previous First Minister set out a national mission to combat drug deaths in Scotland. How have your organisations been involved in the decisions to implement that?

Rachel Le Noan: I cannot comment, as SCVO is not working on that. Some of our members will be involved, but we are not.

Craig McLaren: It is not something that we are engaged in.

Lucy Hughes: I have not looked at that for today's evidence session.

Dr Turbyne: I have been in post for only a year and I do not know whether we had involvement, to provide a children's and young people's perspective, on that. It is possible that we did some work—I will come back to you on that point.

The Deputy Convener: I raise that example because it feels a little emblematic of something that we have discussed already in that there was a need for the country to pursue a high-level, very challenging policy direction on the back of quite catastrophic data, which, in that case, showed that we had one of the worst drug deaths records in the developed world. I am trying to understand how all the organisations orientate towards dealing with something like that. That example might be illustrative to me, in the first instance, so I understand that the question might feel a little bit left field in the conversation.

How would your organisations be involved in the work of public service reform in areas like that? I will cite some other examples, such as the Promise, which requires that high-level statement, very detailed public service reform and the involvement of organisations. Another example is what the previous First Minister called the "sacred duty" of closing the attainment gap. Those are big public sector reforms. Are you involved in those decisions? If so, how does that work?

Dr Turbyne: On the Promise—again, this was before I was with Children in Scotland—we were involved in some of the base work that went on at the very beginning. I do not know the title of the working group, but it brought together different stakeholders to think about what the Promise might look like in practice. There was active involvement in that and we are now doing some specific work on what it might look like to support pupil assistants in schools who are dealing with people on the edge of care. In our forum and other places, we are talking about the subject and getting policy input on it. We are actively involved because it is strictly about looked-after children.

Lucy Hughes: We have experience on the application of the public sector equality duty, which is about considering how public bodies fulfil in their functions the duties to which you referred. We have done some detailed work on that. I would be happy to write to you about it.

We have created really detailed guidance on how to do equality impact assessments and data gathering well, and on what a high-quality impact assessment looks like. We are not expecting people to magic up that understanding. There is a need for that knowledge to be learned and for people to be upskilled over time. We have come up with a solid set of steps for how to improve the process across all the public service. I would be happy to speak more about that.

The Deputy Convener: I do not want to place that as culture because the way that the process works clearly informs outcomes as well. However, it is not at the heart of decisions about where policies might be delivered. I am thinking about how medically assisted treatment standards and drug use might be applied in a rural area versus an urban area. Is there an impact? Does Engender work on such issues to try to inform the gendered nature of such decisions?

Lucy Hughes: Rather than work on granular, specific parts of public service reform, we are looking at how we create tools, such as equality impact assessments, that inform the processes that you spoke about. If someone is considering a niche area, how do they do that and inform the equality impact assessment alongside it? As parts of the decision-making process, they are interrelated, but we are not seeing that happen in practice. The approach is very tokenistic and very much a tick-box exercise. It is not having an impact on how people monitor and gather data on the impact of the public service reforms, as we call them.

The Deputy Convener: Craig McLaren, we are talking about public sector reform programmes. Those are also to do with spatial planning because where services might be provided or not provided is part of the question. Are you involved in those discussions about public sector reform across the different areas?

Craig McLaren: We probably talk more directly to the planning division about that. It was interesting that, when the Parliament approved national planning framework 4, the chief planner talked about how the division's work would change from being about policy development to policy delivery.

As part of that, we have had discussions with the planning division as to what that looks like from a public service reform agenda point of view. For example, there have been early discussions about what a workforce and upskilling strategy means and could look like. We are also developing some work on new ways of working, which will push into the Scottish Government as well. In the context of constrained resources, that work involves thinking about roles, responsibilities, who does what and processes. We are involved in public service reform work that should push into that.

One of the issues that we as a profession face is, as I said, trying to show the value that planning and place-based approaches can bring to the

matter. We have been doing a lot of work on the place standard, for example, and trying to give it a bit more teeth. The fact that it is just a principle at the moment means that it is not transparently monitored to find out whether it is being effective. We want to change that.

There are certain initiatives that we are trying to influence to ensure that planning and place are key components of how the public sector works in future.

Rachel Le Noan: I believe that the committee is about to receive an SCVO submission for its inquiry into public service reform. Our main point on the question is about fair funding, which I have mentioned a couple of times. We need longer-term funding, timely payment and better, transparent monitoring and reporting. We also have concerns about the delays in decision making for grants.

The last point that we have on the matter relates to fair work. We support fair work, but we have big concerns about the implementation of the guidance and the condition of having to pay the new living wage if you receive a grant because no resource is attached to that at the moment.

The Deputy Convener: Thank you for your evidence. We have gone slightly over time and I appreciate your forbearance, particularly with me at the end.

I think—[*Interruption*.] Bear with me a second while I look for the script. This is my first time convening a committee meeting, which you will have noticed.

We will continue taking evidence on effective Scottish Government decision making at our next meeting.

That concludes the public part of the meeting. The next item on our agenda, which will be discussed in private, is consideration of our work programme.

11:10

Meeting continued in private until 11:22.

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