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Wednesday 25 September 2024

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Scottish Parliament

Wednesday 25 September 2024

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

Portfolio Question Time

Deputy First Minister Responsibilities, Economy and Gaelic

The Deputy Presiding Officer (Annabelle Ewing): Good afternoon. The first item of business this afternoon is portfolio questions. The first portfolio is Deputy First Minister responsibilities, economy and Gaelic. As ever, I would appreciate succinct questions, and answers to match.

Question number 1 was not lodged.

Green Industrial Strategy

2. Douglas Lumsden (North East Scotland) (Con): To ask the Scottish Government how its green industrial strategy will encourage companies to remain in Scotland. (S6O-03750)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The green industrial strategy creates certainty for businesses by spelling out where we believe the greatest opportunities lie and where we will focus our attention and resources. In doing so, the strategy provides clear direction and focus to create confidence and encourage investment. We will use all the powers at our disposal to make Scotland a fantastic place in which to invest in green economic opportunities. The strategy contains a range of specific actions, including hosting a global offshore wind investment forum next spring and working with the sector to develop hubs to address hydrogen production and demand.

Douglas Lumsden: This morning, the Scottish Government's task force for green and sustainable financial services published its first report. The report identifies a worrying trend of top jobs in finance drifting south. Does the Deputy First Minister accept that, if Scotland is to realise the economic benefits of the transition to net zero, the Scottish National Party Government needs to abandon the damaging tax gap that it has created with the rest of the United Kingdom—a gap that is driving away investment and putting Scotland at a competitive disadvantage?

Kate Forbes: I am absolutely delighted that Douglas Lumsden has read the recommendations of the task force for green and sustainable

financial services. I am extremely proud of the report, which was drafted by an independent group, chaired by David Pitt-Watson. It is a brilliant piece of work that outlines how Scotland can build on our strengths as a finance centre and marry that with the huge economic opportunities in the green industries. The report makes it clear that the prize is big. We start with very strong foundations and will build on them.

On the specific question, I refer the member to the independently produced figures from His Majesty's Revenue and Customs on the behavioural impact of the tax changes.

Kevin Stewart (Aberdeen Central) (SNP): Oil, gas and energy companies operating in the north-east have said that they are slowing down investment as a result of UK Government policies, with Unite the union warning that Labour's plans could put 30,000 jobs

"over a cliff edge by 2030".

Given that investment in our renewables future is dependent on those workers, can the Deputy First Minister say any more about what the Scottish Government can do to protect and build investor confidence in Scotland's energy industry?

Kate Forbes: Kevin Stewart is absolutely right to highlight the importance of giving investors and the sector confidence to protect the jobs. I cannot disagree at all with Unite the union's warnings, and I sincerely hope that Labour will heed those warnings.

The fiscal regime for North Sea oil and gas is reserved to the UK Government. We have been clear about the importance of effective and substantive investment allowances for activity in the North Sea, to allow reinvestment in decarbonisation as part of a just transition to net zero.

On supporting the workers, the green industrial strategy highlights the opportunities where we want to see growth and more employment and give a future to those workers.

Willie Rennie (North East Fife) (LD): The Deputy First Minister knows that I am concerned about Liberty Steel's Dalzell plant, which is important for the green industrial strategy, and particularly for onshore wind. Can she provide the Parliament with an update on the plant?

Kate Forbes: Willie Rennie has raised that issue with me in the past. We have constant engagement on the Dalzell plant. There are currently no matters of importance to report. I am happy to have a separate conversation with Willie Rennie if there are substantive issues that he wants to draw to my attention, and I can ensure that we get a reply to him. However, from my on-

going engagement on the matter, there is nothing to update the Parliament on.

Drinks Sector (Contribution to Economy)

3. **Clare Haughey (Rutherglen) (SNP):** To ask the Scottish Government, as part of the development and delivery of its economic strategy, what assessment it has made of the contribution of the drinks sector to the economy. (S6O-03751)

The Minister for Business (Richard Lochhead): The drinks sector is vital to Scotland's economy, generating a turnover of £6.3 billion per annum and directly employing around 13,000 people, and supporting thousands more jobs throughout the wider supply chain.

As a Government, we will continue to support the sector in the huge role that it plays in contributing to our priority to grow Scotland's economy. We also welcome the sector's willingness to innovate, particularly through the good work that it is doing around cutting emissions from production to help tackle the climate emergency.

Clare Haughey: I recently visited the Tennent's facility in Cambuslang in my constituency and I was delighted to learn of its plans to upgrade the distribution centre, ensuring jobs and careers on site for many years to come. Local production and the sourcing of products support thousands more jobs across the country, and international exports help to boost the Scottish economy.

Will the minister consider meeting that staple Scottish brand to explore further how it can continue to support and grow the Scottish economy?

Richard Lochhead: I thank Clare Haughey for bringing that important investment to the chamber's attention. It is a good news story; it is very good news for the Cambuslang area in particular, as well as for the country and the drinks sector as a whole.

As business minister, I would be more than happy to meet the company, if Clare Haughey wishes to help to arrange that. I know that I speak for my colleagues when I say that they would be willing to meet the company, if that is more appropriate.

There are a number of good news stories in the drinks sector in Scotland. It is good to hear about the investment in the Tennent's facility in Cambuslang.

Murdo Fraser (Mid Scotland and Fife) (Con): I remind the chamber of my entry in the register of members' interests in relation to hospitality that I received from the Scotch Whisky Association.

The minister will recall that the Scottish Government previously consulted on draconian rules to restrict alcohol marketing, which caused a great deal of alarm among the drinks sector. We have not had an update recently from the Scottish Government on where matters stand in relation to that. Can he tell us now?

Richard Lochhead: A number of comments have been made about that. The Scottish Government is about to commission Public Health Scotland to carry out a review of the evidence on a range of options that is available to the Scottish Government under devolved powers. Once that is concluded, there will be further consultation. I will ensure that Parliament is kept up to date on that, as it has been up to now.

It is interesting that Murdo Fraser mentioned the Scotch Whisky Association, because one of the biggest concerns that it has expressed to me, and to the Government as a whole, is the rate of tax applied by the United Kingdom Government under his own party's Administration over many years.

I noticed a tweet from the Scotch Whisky Association, in the past 24 hours, which stated:

"Spirits like #ScotchWhisky sold in the UK are subject to the highest rate of taxation in the G7, and double the average across Europe"

The UK tax is double the tax in France, five times that in Japan and three times that in Italy. That is a big issue for the Scotch whisky industry, if Murdo Fraser wishes to take that on board.

Ferguson Marine (Governance Arrangements)

4. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government what improvements it has considered making to governance arrangements at Ferguson Marine, in light of recent reported concerns around quality control at the yard. (S6O-03752)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): The strategic commercial assets division is responsible for governance arrangements around the delivery of Glen Sannox and Glen Rosa. That includes weekly meetings with the management team at Ferguson Marine, and recently introduced daily reports from the technical advisers that enable us to closely monitor progress in relation to the handover of Glen Sannox. The implementation of quality control measures is an operational matter for Ferguson Marine, in line with the framework agreement that was refreshed this year to take account of the need for operational independence.

Jamie Greene: I cast the Deputy First Minister's memory back to the end of June and the glorious summer day when I stood at the front of this

chamber and asked her whether she was expecting any delays to the delivery of Glen Sannox. Would it be delivered by the end of July, as was promised, I asked. In response, I was reassured twice, if not three times, that there were no delays.

Two days later—funnily enough, once we had all exited the building for the summer recess—and guess what? Delays were announced and—I give a spoiler alert to colleagues—the ship is still to be handed over to CalMac, and it is nearly October. Given that that is supposedly a strategic national asset for the country, what faith can we have that the Scottish Government—which sits as a director of the company—has any oversight of or responsibility in decisions, including in relation to any delays, which we usually discover in the media, instead of in this chamber?

Kate Forbes: The member will know that, in the light of the yard's operational independence, I do not control or dictate when the chief executive officer and the chair—who are directly accountable to Parliament—choose to update Parliament.

I had no involvement in the timing of the letter. When I answered the member, I was doing so on the basis of all the evidence that I had before me at that point. It is really important to put that on the record.

In the most recent letter, of 12 September, to the Net Zero, Energy and Transport Committee—the letter was issued on the decision of the chair—the interim chief executive officer of Ferguson Marine indicated that the handover date for MV Glen Sannox would move to mid-October 2024. On the basis of all the evidence that I have in front of me, the proposed handover for MV Glen Rosa remains at 30 September 2025.

Stuart McMillan (Greenock and Inverclyde) (SNP): Can the Deputy First Minister say any more about how the Scottish Government is working on the next phase of the modernisation of the yard, to ensure that it has a sustainable and competitive future?

Kate Forbes: Our aim and ambition is for the yard to have a sustainable and competitive future. We are fully committed to delivering that beyond the completion of MV Glen Sannox and MV Glen Rosa.

When I visited the yard in July, I signalled the Government's willingness to back the board's investment plan, provided that it delivers value for money and meets commercial standards. As work on the CalMac Ferries continues, our priority is helping Ferguson Marine to secure and win commercial contracts, positioning it to thrive in a competitive market, learning from successful international models and strengthening the yard's competitiveness through investment.

Hospitality Industry (Fair Work)

5. Maggie Chapman (North East Scotland) (Green): To ask the Scottish Government what its response is to the findings of the Fair Work Convention's inquiry into fair work in the hospitality industry. (S6O-03753)

The Minister for Employment and Investment (Tom Arthur): I was pleased to attend the publication launch of the report of the independent inquiry into the hospitality industry yesterday. We welcome the report and its recommendations, which are the culmination of extensive consultation, research and dialogue with employers, employees, trade union representatives and key industry trade bodies. Some of the recommendations are intended to support workers and employers to improve pay, working conditions and inclusion in the sector.

I thank the Fair Work Convention for conducting this important inquiry. The Scottish Government will carefully consider its recommendations and set out a response in due course.

Maggie Chapman: The inquiry recommends the establishment of a voluntary fair work charter for hospitality that stipulates a range of workers' protections, from payment of the real living wage and recognition of real living hours to effective voice, robust anti-bullying procedures and safe home policies for all workers asked to travel or work after 11 pm. How quickly does the minister expect that charter to be in place? What mechanisms could be put in place should an employer breaches any aspect of it? How does he expect public bodies, including local authorities, to support its implementation? Will the Scottish Government incentivise the adoption of the charter through conditionality of public funding?

Tom Arthur: I recognise the member's long-standing interest in this area, and I know that she, too, attended yesterday's launch. As I said in my original answer, the report is a substantial and detailed piece of work that a range of stakeholders has put a tremendous amount of effort into, and I want to ensure that the Government's consideration of it is commensurate with that.

Clearly, the member will be aware of and appreciate the range of activities that the Scottish Government has undertaken to promote fair work within the limitations of devolved competency. That signifies the huge importance that this Government places on fair work. As such, we will engage in that spirit with the report's recommendations and will update Parliament accordingly.

Emma Roddick (Highlands and Islands) (SNP): While employment law remains reserved to Westminster, it is vital that the Scottish Government does all that it can to incentivise and

promote fair work. Will the minister say more about how the Scottish Government is working to drive fair work practices across the private sector? Will he join me in continuing to call for employment law to be devolved to this Parliament, so that we can ensure that workers are treated fairly and paid fairly in Scotland?

Tom Arthur: I echo the member's call for the devolution of employment law to this Parliament.

We use a range of methods through our leadership on fair work principles, and our support of the Fair Work Convention and detailed considerations of its reports. We also seek, through conditionality, the use of public finances to incentivise the uptake of practices that are consistent with fair work, such as the real living wage and effective employee voice.

We welcome the agenda that the new United Kingdom Government has set out with regard to making work pay; indeed, Scottish ministers are committed to engaging closely on that. However, I echo the point that one certainty in British politics is that Labour Governments are followed by Conservative Governments, which invariably have an alternative set of priorities when it comes to fair work. Fair work principles and the rights of trade unions have been rolled back under Conservative Administrations. Therefore, to ensure that we can progress fair work and that it is embedded and made permanent in Scotland, we require the devolution of employment rights to the Scottish Parliament.

Brian Whittle (South Scotland) (Con): The transportation portfolio is mentioned numerous times in the report by the Fair Work Convention inquiry into fair work in the hospitality industry. Does the minister agree that, given that Scotland now has the most expensive train fares in Europe, the reintroduction of peak fares on ScotRail further increases inequality for workers in hospitality, particularly in rural areas, where employees find it more expensive to commute to work?

Tom Arthur: The inquiry report makes a range of recommendations to which we will give detailed consideration. Matters pertaining to peak fares have been set out in some detail by my ministerial colleagues. Their reintroduction is, ultimately, a consequence of the significantly challenging position that we face with the public finances, which was caused in no small part by Mr Whittle's party.

Douglas Lumsden (North East Scotland) (Con): Scottish National Party incompetence.

The Deputy Presiding Officer: Thank you, Mr Lumsden. May I continue?

Question 6 was not lodged.

Economic Growth (Measurement)

7. Liam Kerr (North East Scotland) (Con): To ask the Scottish Government whether it will set out how it measures economic growth, including what metrics it uses to assess success in economic growth. (S6O-03755)

The Minister for Business (Richard Lochhead): The Scottish Government publishes monthly and quarterly gross domestic product figures for onshore Scotland. That is the headline measure for Scottish economic growth. The national performance framework also has indicators, some of which show whether growth is improving or worsening. However, following the unprecedented disruption to GDP during the Covid pandemic, recent trends are distorted and performance cannot meaningfully be compared to previous years. Therefore, that indicator was not reported for 2023.

Growing the economy is one of our four programme for government priorities. Since 2007, Scotland's GDP per person has grown by 10.7 per cent, compared with only 5.6 per cent in the United Kingdom as a whole.

Liam Kerr: One measure of growth might be to ask what size the Scottish budget is and what it would have been had the Scottish Government made the same policy choices as the UK Government. When the Scottish Fiscal Commission did so, it pointed out that the Scottish National Party's policy choices have cost the Scottish budget £624 million, something that the Cabinet Secretary for Finance and Local Government failed to mention in her recent statement.

Does the minister think that Graeme Roy's or Shona Robison's analysis is correct? Does he accept that the SNP's drastic spending cuts are the result of its policy choices?

Richard Lochhead: This is Scottish devolution. We take decisions in line with the priorities in Scotland. We do not replicate UK policies and UK choices.

I point out to the member that today's article from Ian McConnell in *The Herald* newspaper, which was just published in the past few hours, is entitled:

"Scottish economy grows as UK stagnates, new data reveal".

That relates to the latest monthly figures for GDP. The Scottish economy is faring well under many indicators against a difficult backdrop, much of which was caused by UK Government policy.

If we look at what the business insights and conditions survey says about the optimism—or otherwise—of the business community, we see

that the community's highest concerns are inflation and energy prices, and then we have the cost of Brexit to add to that. Those relate to UK policy choices that we would not have made in Scotland. That is why it is important that we do what is best for Scotland. According to many different indicators for economic growth, Scotland is performing relatively well compared with the rest of the UK.

Bill Kidd (Glasgow Anniesland) (SNP): UK Government debt has risen to its highest level since the 1960s. The UK Chancellor of the Exchequer has announced £22 billion-worth of cuts, and economists warned last week that the impact of Brexit is worsening. Will the minister advise how we can grow Scotland's economy in such a challenging UK environment, which leaves Scotland tied to a failing economy?

Richard Lochhead: Our programme for government sets out the steps that we are taking to grow our economy, to create jobs, to support innovation—through, for instance, the Scottish National Investment Bank—and to attract investment in net zero, housing and infrastructure. Our economy is performing relatively well, as I indicated in my previous answer. For instance, last year, earnings in Scotland grew faster than they did in any other part of the UK.

However, there is a limit to the actions that we can take while many of the key powers on tax and the economy remain reserved to Westminster. That is why we want further powers for the Scottish Parliament and independence, which would give us the powers to build a greener, fairer and wealthier Scotland.

The information and communications sectors, for example, are performing particularly well and are contributing to the GDP figures that I have mentioned. Those are national strengths in this country that will help us achieve economic growth in the future, which is why we are focusing on many of those strong sectors.

Daniel Johnson (Edinburgh Southern) (Lab): It is vital that we close the £600 million performance gap, but cherry picking economic data does not help. The Government is right that, since 2007, performance based on GDP per head has been 11 per cent in Scotland compared with 6 per cent in the rest of the UK. However, since 2016—the point of income tax devolution—Scottish economic growth based on GDP per head has been 2.6 per cent, whereas it has been 4.4 per cent in the rest of the UK. In Manchester, since 2007, GDP per head has grown by 21.4 per cent. Likewise, with inward investment, although the Government is right to point to EY data, data from the Office for National Statistics shows that, in terms of value through the number of jobs created, Scotland is lagging behind both the West

Midlands and the north-west of England, with fewer than half the number of jobs that have been created by inward investment in those areas.

Does the minister agree that, if we are to close the performance gap, we need to use a broader set of measures? Most important—and I am interested in his answer to this—do we need a better view of how Scotland compares with the other nations and regions of the United Kingdom?

Richard Lochhead: It was intriguing that Daniel Johnson mentioned 2016, because there was an event in 2016 that had a very detrimental impact on Scotland's economy—it was called Brexit. All the evidence shows that Brexit has had a disproportionate impact on the Scottish economy compared with the impact on the rest of the UK, given our exports to the European Union and other factors.

Daniel Johnson: I asked a serious question.

Richard Lochhead: The member is shaking his head in frustration. Brexit has had an enormous impact on the Scottish economy, but his party has stuck to the Tory policy of supporting Brexit, which has compounded the damage to the Scottish economy. Indeed, just in the past week, a university published a report that shows that small businesses have been hit particularly hard as a result of our exports being curtailed due to Brexit.

I accept that we should always keep the measures under review. I think that we can all agree that that is an important point, but let us live in the real world and not turn a blind eye to the impact that Brexit and other factors—including budget cuts from Westminster—have had on the Scottish economy.

Retail Sector

8. Annie Wells (Glasgow) (Con): To ask the Scottish Government what measures it is taking to boost confidence in the retail sector. (S6O-03756)

The Minister for Employment and Investment (Tom Arthur): The Scottish Government deeply values the vital role that retail businesses play in the growth of Scotland's economy. We will continue to build on the foundations that we have already created jointly with business representatives, and we remain fully committed to the new deal for business.

In relation to sectoral support, we are maintaining the small business bonus scheme, which is the most generous scheme of its kind in the United Kingdom and offers up to 100 per cent relief from non-domestic rates. Our retail strategy sets out how we will work with businesses and trade unions to deliver a strong and prosperous retail sector.

Annie Wells: Data from the Scottish Retail Consortium and KPMG shows that total sales in Scotland decreased by 0.5 per cent between August last year and August this year. Given that our high streets are already struggling thanks to the Scottish National Party's failure to pass on rates relief last year, does the minister accept that more needs to be done to help the sector to deliver the economic growth that Scotland needs?

Tom Arthur: It is always important to recognise that a wide range of factors can have an impact on the data that ultimately materialises at the end of a month. Annie Wells will be aware of some of the meteorological conditions that had an impact on high streets over the summer—if we can even call it summer.

I have had similar exchanges with Annie Wells previously in the chamber. The challenges that the retail sector faces are significant and structural, and they are not unique to Scotland. There has been a combination of factors over many years. For example, when my party came to power in 2007, online retail sales—this is from memory—accounted for about 2 per cent of retail sales. That figure peaked at more than 30 per cent during the pandemic, and it is still in the 20s. There was also significant growth in the number of out-of-town retail facilities in the 1980s and 1990s. A range of factors is having a direct impact on high streets today.

Important work is being done on this, but it will not be an overnight fix. Although the regulatory and fiscal environment is of significant importance, there is a broader range of factors to consider, and key to that will be regeneration of and investment in our town and city centres. Of particular importance is increasing the residential population of our town and city centres, which will be significant for the future of the high street and the retail sector.

Gordon MacDonald (Edinburgh Pentlands) (SNP): Retail Economics and Tradebyte have reported that British brands and retailers have seen international sales to the European Union plummet by almost £6 billion since Brexit. Can the minister provide any update on what assessment the Scottish Government has made of the continued cost of Brexit to business?

Tom Arthur: Business surveys show that, of all Scottish businesses trading with the EU, 48 per cent of exporters and 58 per cent of importers face increased costs because of Brexit. Brexit has been estimated to have left the UK economy at least £69 billion worse off compared with EU membership, and the Scottish Government continues to favour Scotland's rejoining the European Union single market as an independent country.

The Deputy Presiding Officer: That concludes portfolio questions on Deputy First Minister's responsibilities, economy and Gaelic. There will be a short pause before we move on to the next portfolio to allow front-bench teams to change positions, should they wish.

Finance and Local Government

Compulsory Purchase System (Consultation)

1. **Ariane Burgess (Highlands and Islands) (Green):** To ask the Scottish Government, in light of the commitment in its 2024-25 programme for government to “consult on modernisation of the compulsory purchase system to help deliver a wide range of projects in the public interest”, whether this consultation will include compulsory sale orders and compulsory rental orders in its scope. (S6O-03757)

The Minister for Public Finance (Ivan McKee): Compulsory purchase orders can be effective in supporting the delivery of much-needed development in the public interest. However, the legislation is recognised as being complex and out of date. We believe that its reform could contribute to outcomes that people associate with compulsory sales orders, such as bringing more vacant property back into use. That is why, as a first step, we have established an advisory group to review the current legislation and its operation and to seek ways of improving it and making it easier to use. We also continue to consider the justification for, and practical operation of, compulsory sales orders.

Ariane Burgess: Compulsory sales orders and rental orders are critical to tackling the blight of abandoned buildings and derelict land and transforming them to build community wealth, particularly while local government finances are so restricted. Will the Government confirm that the review will also look at enabling the public sector and communities to capture uplifts in land value resulting from development, for example through disregarding hope value?

Ivan McKee: Work is being done on land reform, but, on the specific issue that Ariane Burgess raises, the work that has been done on compulsory purchase orders is to update the legislation to enable the process to be smoother and to be applied more effectively. The value that is ascribed when a compulsory purchase order goes through has to take into account a number of factors relating to the value of the asset that is being purchased at that time.

Mark Griffin (Central Scotland) (Lab): Compulsory sales orders could be a valuable tool for local authorities to use to remove the blight of empty homes in our communities. As well as the

review of community purchase orders, is the Government looking at a suite of measures to tackle the blight of empty properties, including a council tax multiplier that could fund some compulsory sale or purchase orders?

Ivan McKee: Councils already have the opportunity to increase council tax on empty properties; that is an option for them to take into account. The Government is undertaking work to look at what can be done to bring more properties back into use. Work with stakeholders is on-going, and we are looking for all opportunities and levers that we can use in that regard.

The reform of compulsory purchase orders is important, because it will make them easier to use and a more effective tool for local authorities and other public bodies. We are also looking at the scope and value that compulsory sales orders could bring to that picture. However, they are not a panacea. There are many complexities around the application of compulsory sales orders that need to be considered as part of the review.

Fiscal Position

2. Stuart McMillan (Greenock and Inverclyde) (SNP): To ask the Scottish Government what analysis it has undertaken of what Scotland's fiscal position would be today if a yes vote had been returned in the independence referendum of 18 September 2014. (S6O-03758)

The Cabinet Secretary for Finance and Local Government (Shona Robison): As an independent country, Scotland would make its own decisions, including on matters such as European Union membership. Modelling suggests that, as a result of Brexit, compared with being in the EU, the United Kingdom economy was 2.5 per cent smaller in 2023, which represented a cut in Scottish public revenues of around £2.3 billion.

Independence would give Scotland full control of the economic levers that, as outlined in the "Building a New Scotland" economic prospectus, are needed to bring about lower energy prices, investment of up to £20 billion in major infrastructure and strengthened workplace rights, all of which would boost our economic future and allow Scotland to escape the UK's economic model, which concentrates wealth in London and the south-east of England, while producing inequality, low investment and low productivity.

Stuart McMillan: Since 2014, Scotland has suffered under four failed Tory premierships, and we have been taken out of the EU against our will, with Brexit wreaking havoc on our economy. As we heard earlier, we have witnessed high inflation, a disastrous economic experiment from Liz Truss and a cost of living crisis that was made worse by a Westminster Government that was intent on

protecting itself and its friends instead of the majority of the population.

Does the cabinet secretary agree that independence is the only way that we can ensure that we get cheaper energy, bearing in mind the comments of Greg Jackson, the chief executive officer of Octopus Energy, who said that

"Scotland would have the cheapest electricity in Europe"

if the UK implemented regional pricing and market reform?

Shona Robison: As a country, we are blessed with extraordinary natural and energy resources, and we have a world-leading renewable energy industry. An independent Scotland would design the electricity market in line with Scotland's interests. That would allow, for example, the link between the price of electricity and the price of gas, which is a key factor in driving high prices for Scottish households, businesses and industry, to be broken. With full powers, we would seek to pass the lower cost of renewables on to customers, and the price of electricity would more accurately reflect our abundant low-cost renewable resources.

Meanwhile, we will continue to push the UK Government to ensure that the electricity market reforms support Scotland's net zero ambitions, as well as our aim of tackling fuel poverty.

Murdo Fraser (Mid Scotland and Fife) (Con): The Scottish Government's own "Government Expenditure and Revenue Scotland"—GERS—figures show that Scotland would have a nominal deficit of £22.7 billion, which is 10.4 per cent of gross domestic product. That is a truly unsustainable number, and it is more than double the rate of the UK as a whole.

Instead of giving us fantasy economics, can the finance secretary tell us what tax increases would be necessary to fill that gap?

Shona Robison: Of course, the GERS figures, which represent a notional fiscal deficit, represent Scotland's fiscal position under the current constitutional arrangements. Secondly, 90 per cent of the GERS fiscal deficit is due to UK Government choices. Thirdly, equating GERS with Scottish Government finances is just plain wrong, given that this Government has balanced the budget every year for 17 years and will continue to do so.

Financial Powers Devolution

3. Jackie Dunbar (Aberdeen Donside) (SNP): To ask the Scottish Government, in light of recent United Kingdom Government announcements ahead of its budget statement, whether it will provide an update on its latest engagement with the UK Government regarding the potential

devolution of further financial powers to Scotland. (S6O-03759)

The Cabinet Secretary for Finance and Local Government (Shona Robison): I have been clear in my initial engagement with the Chief Secretary to the Treasury that Scotland requires further fiscal flexibilities in order to provide greater funding certainty and stability for our public services, and I know that my counterparts in the other devolved Administrations also want to explore that issue with the Treasury.

I have recently written to the Chancellor of the Exchequer to set out the Scottish Government's priorities ahead of the UK budget, and I intend to raise the issue of further fiscal flexibilities when I meet the Chief Secretary to the Treasury next month, along with the Welsh and Northern Irish finance ministers.

Jackie Dunbar: Under current constitutional arrangements, Westminster austerity continues to harm Scottish folk, as Labour's recent cuts to the winter fuel payment demonstrated. Does the cabinet secretary agree that the case could not be stronger for full financial powers to lie with this Parliament so that we can deliver the fairer investment that our public services and folk across Scotland deserve?

Shona Robison: Jackie Dunbar is right that it could not be clearer that Scotland would be best served by the full range of fiscal powers and choices that independence would bring.

Meanwhile, I will work to try to persuade the UK Government to deliver improvements to the current fiscal devolution settlement next week. As I said, I will meet the Chief Secretary of the Treasury and the devolved finance ministers and set out the need for further fiscal flexibilities to enhance Scotland's financial management powers. We want to pursue further devolution of tax powers, and I do not believe that we are alone in that among the devolved nations.

Economic Performance

4. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the Scottish Government what its response is to the comments of Professor Graeme Roy, chair of the Scottish Fiscal Commission, that Scotland's net position in 2022-23 was around £624 million lower than it would have been had Scottish economic performance matched that of the rest of the United Kingdom. (S6O-03760)

The Cabinet Secretary for Finance and Local Government (Shona Robison): Previous Scottish Government analysis, as reported in the 2022 medium-term financial strategy, outlines the historic impact of the downturn in the oil and gas industry and strong growth in earnings and

financial services around London and the south-east of England, with the associated effect on Scottish income tax revenues due to the operation of the fiscal framework.

The Scottish Fiscal Commission acknowledges that more recent economic data is positive, with faster 2022-23 and 2023-24 earnings growth in Scotland than in any other part of the UK. Our programme for government and upcoming tax strategy will build on that, identifying areas that can support economic growth through creating good, well-paid jobs that support our tax base and revenue.

Rachael Hamilton: The Scottish National Party Government has been in power for 17 years and is not a powerless bystander. The cabinet secretary's argument has been torpedoed by the Scottish Fiscal Commission. The £624 million figure is remarkably similar to the fiscal gap that the cabinet secretary is trying to meet at the expense of the people of Scotland, including those in my constituency in the Borders. Will the cabinet secretary admit that ordinary working-class people in Scotland are bearing the brunt of the SNP's hapless spending choices?

Shona Robison: Rachael Hamilton forgets one point, which is that that figure refers to a previous financial year, not this one, where the gap is driven largely by the UK pay review body's recommendations being accepted, which adds £800 million this year to our in-year pressure. Rachael Hamilton is comparing different years.

Let me say this, which is very positive: the SFC's judgment is that, although the income tax policies that have been announced for 2024-25 are not economy moving, the Royal Bank of Scotland's growth tracker is reporting Scottish business confidence as being at an 18-month high and gross domestic product per person, growth in productivity, earnings growth and foreign direct investment all outstripping those of the rest of the UK.

It would be good to occasionally hear some positive news from members on the Tory benches about the Scottish economy, because there is a lot of positivity to talk about.

Willie Rennie (North East Fife) (LD): If the finance secretary is taking credit for all the things that she has just listed, does she accept any responsibility for the £624 million gap?

Shona Robison: I have explained that the gap is linked to the operation of the fiscal framework and the block grant adjustment in regard to earnings growth. The comparison at that point was due to a downturn in the oil and gas industry in Scotland, which bore down on revenues, at the same time as strong growth in earnings and financial services in London and the south-east of

England. If members know how the fiscal framework operates, they will know that that widened the gap to £624 million. That is how the fiscal framework operates.

I am saying, however, that the SFC acknowledges that more recent economic data shows faster earnings growth in Scotland than in any other part of the UK, which consequently means additional revenues for the Scottish budget. That is how the fiscal framework works.

Private Finance Initiative Repayments

5. Collette Stevenson (East Kilbride) (SNP): To ask the Scottish Government what estimate it has made of the cost of private finance initiative repayments in the current financial year. (S6O-03761)

The Minister for Public Finance (Ivan McKee): The latest published data shows that the total estimated cost of private finance initiative payments in 2024-25 is £1.1 billion.

Collette Stevenson: I thank the minister for that response. PFI, a Tory creation, was enthusiastically rolled out by previous Labour Governments. Now, in 2024, history is repeating itself, with Labour keeping cruel Tory policies such as the two-child cap and bedroom tax. From toxic PFI debt to protecting people from the worst of Westminster austerity, can the minister confirm how much the Scottish National Party Government is spending to pay for the poor choices of Labour and the Conservatives?

The Deputy Presiding Officer: I would say that the minister should deal with the question at hand, which is the cost of PFI.

Ivan McKee: There are currently 74 on-going PFI contracts, and the total estimated cost of all the remaining payment charges from 2024-25 onwards is approximately £13.6 billion. The Scottish Government has called on the United Kingdom Government to reverse the damaging policies of the previous Administration, including by removing the benefit cap and abolishing the bedroom tax and the two-child limit. We are spending £134 million this year alone on mitigating the damaging welfare policies that were put in place by the previous UK Government, including the benefit cap and the bedroom tax.

That money could be spent on services such as health and education or on further ambitious anti-poverty measures, and it would pay for around 2,000 teachers or band 5 nurses each year.

Midlothian Council and East Lothian Council (Budgets)

6. Colin Beattie (Midlothian North and Musselburgh) (SNP): To ask the Scottish

Government what discussions it has had with Midlothian and East Lothian councils regarding the financial impact of national policies, in light of reports of their constrained budgets. (S6O-03762)

The Cabinet Secretary for Finance and Local Government (Shona Robison): Following discussions with Midlothian and East Lothian councils, I used the limited discretion that is available to ministers to adjust the local government distribution funding floor for this year's budget. That ensures that funding allocations more accurately reflect the latest population census data, which directly benefits both councils. Discussions with both councils continue, alongside discussions with all authorities and the Convention of Scottish Local Authorities.

Colin Beattie: Midlothian and East Lothian are two of the fastest-growing areas in Scotland. In the light of those population changes, how is the Scottish Government ensuring that national policies are equitably funded across all local authorities?

Shona Robison: As I referenced in my original answer, the needs-based distribution formula is kept under constant review and uses the most up-to-date data available, including the new census data. As Midlothian and East Lothian council areas have growing populations, they will receive an increased share of the available funding, all other factors being equal.

Any change to the distribution formula more widely would require the agreement of COSLA and the 32 local authorities.

Decriminalised Parking Enforcement (Revenue Generation)

7. Emma Harper (South Scotland) (SNP): To ask the Scottish Government, in relation to the local government funding settlement, what discussions the finance secretary has had with ministerial colleagues regarding the potential revenue that local authorities could generate through decriminalised parking enforcement regimes in their areas. (S6O-03763)

The Cabinet Secretary for Finance and Local Government (Shona Robison): Although ministers routinely discuss revenue-raising opportunities with local authorities and among one another, there have been no specific discussions on decriminalised parking enforcement. Decriminalised parking enforcement is a regime that local authorities may choose to apply for, depending on the requirement for parking enforcement in their area. Currently, 22 of the 32 local authorities in Scotland operate that regime, but it should always be viewed as a form of enforcement rather than as a source of income.

Emma Harper: Dumfries and Galloway Council is currently applying for decriminalised parking enforcement—its application is with Transport Scotland. Although I agree that it should be about enforcement and not revenue, given the revenue that has been generated by many other local authorities, can the minister give an indication of the timescale in which Transport Scotland will provide a decision on the application? Does she agree that decriminalised parking enforcement also has the ability to better address illegal parking and make our communities more accessible for those with disabilities?

Shona Robison: Transport Scotland officials have been in on-going discussions with Dumfries and Galloway Council regarding decriminalised parking enforcement, but it is yet to receive a completed application. Once an application is received, it can take in the region of 12 months to bring DPE powers into force, due to the time that it takes to draft, consult on and lay the necessary Scottish statutory instrument.

Local authorities are best placed to determine whether taking on DPE powers is the best way to address illegal parking in their areas, but I encourage those without DPE to consider investigating whether it would be beneficial.

Tax Policy (Impact on Recruitment)

8. Finlay Carson (Galloway and West Dumfries) (Con): To ask the Scottish Government whether it plans to reassess its tax policies, in the light of reports from some businesses that higher taxes are having a negative impact on recruitment, including in the most recent Fraser of Allander Institute survey on Scottish income tax. (S6O-03764)

The Cabinet Secretary for Finance and Local Government (Shona Robison): Tax policy for 2025-26 will be announced as part of the Scottish budget, and we continue to monitor closely the impact of our tax policy on the wider economy.

Since the introduction of Scottish income tax, in 2017-18, more taxpayers have come to Scotland than have left, with net inflows averaging almost 4,200 people per year. The latest available data, from 2021-22, shows that net migration of taxpayers was positive across all tax bands, with taxable income increasing by £200 million as a result.

Finlay Carson: Highly skilled workers are essential to building the kind of high-growth economy that Scotland deserves, but many firms admit that they are struggling to attract and retain talent. Does the cabinet secretary agree that the greater income tax burden that is being placed on higher earners in Scotland has led to warnings from various quarters that some taxpayers are

considering moving away? Indeed, the Deputy First Minister, Kate Forbes, recently admitted that the situation is being “kept under review” and acknowledges how easy it is for taxpayers to shift.

Shona Robison: As I said in my original answer, data shows that the net migration of taxpayers across all tax bands was positive on the number of people coming to Scotland, which has increased taxable income by £200 million.

The real-time, pay-as-you-earn tax data for 2023-24 suggests that growth in PAYE income tax receipts in Scotland outperformed that in the rest of the UK, with tax receipt per head figures growing at the fastest rate since data has been available. On top of that, as I mentioned earlier, the Royal Bank of Scotland’s growth tracker reported Scottish business confidence at an 18-month high.

Those are figures and facts that the Scottish Tories do not like to hear, because they do not seem to ever want to hear or say anything positive about the Scottish economy. That does the Scottish economy, our businesses and our hard-working workforce a great disservice.

Clare Haughey (Rutherglen) (SNP): The SNP Government’s decisions on income tax since the devolution of powers are estimated to have raised around £1.5 billion more in 2024-25 than would have been raised if we had had UK rates and bands. That vital funding can be used to support our public services and deliver the Scottish child payment. Does the cabinet secretary share my concerns about the impact that it would have on our ability to support our public services and tackle child poverty if we were to follow the Tories’ ill-judged plans for tax cuts?

Shona Robison: The simple fact is that, if the Tories—or Labour members, for that matter—want the rates and bands of the UK Government to be matched, they need to set out where the £1.5 billion of cuts in current spending would fall. Modelling that was published in February estimates that the Scottish Government’s policies will keep 100,000 children out of relative poverty in 2024-25—policies such as the Scottish child payment, which are possible because of our progressive income tax model. It is incumbent on Opposition parties that are calling for lower taxes and, at the same time, higher spending to explain how slashing social security spending and investment in public services will make Scotland a better place.

The Deputy Presiding Officer: That concludes portfolio questions on finance and local government.

Additional Support for Learning

The Deputy Presiding Officer (Liam McArthur): The next item of business is a debate on motion S6M-14469, in the name of Sue Webber, on behalf of the Education, Children and Young People Committee, on additional support for learning. I invite Ms Webber, as convener of the committee, to speak for up to 10 minutes, please.

14:51

Sue Webber (Lothian) (Con): I am delighted to be speaking on behalf of the Education, Children and Young People Committee about our inquiry into additional support for learning. I thank my colleagues for their diligent work throughout our inquiry, as well as all the people and organisations who provided evidence, either in person or by responding to our call for views. Special thanks go to the inclusion ambassadors that we met. They are a group of children and young people from across Scotland with a range of additional support needs who work with Children in Scotland to ensure that their views are heard in decision making relating to education.

In deciding what the inquiry should cover, the committee was acutely aware of the work that was being done in the area and, not least, the report that was produced by Angela Morgan. We knew that the Scottish Government was planning to update its additional support for learning action plan and code of practice and we wanted to ensure that the main issues around ASL provision in Scotland's schools were both highlighted to the Scottish Government and addressed in the refreshed plan and code of practice.

As it is 20 years since the creation of the Education (Additional Support for Learning) (Scotland) Act 2004, it feels like a good time to reflect on what progress has been made and explore what remains to be done. The committee agreed to focus on three main themes, which overlap to some extent—the implementation of the presumption of mainstreaming, the impact of Covid-19 on additional support for learning, and the use of remedies as set out in the 2004 act. We launched our inquiry in October 2023. We issued a call for views and received over 600 responses, which came mainly from individuals who had faced barriers in relation to ASL provision.

Currently, over a third of pupils have an additional support need, and many of those pupils will require additional support for their learning, so we cannot ignore the enormity of the situation. At the outset of the inquiry, the committee was keen to hear directly from those with personal experience of how the 2004 act and the

presumption of mainstreaming have been working in practice. We spoke to pupils, parents, carers and teachers at informal participation sessions in February and March this year. We then took formal evidence throughout March, before publishing our report in May.

Our report makes clear that the committee was extremely concerned by what it heard regarding people's negative personal experiences of ASL provision and the detrimental impact on some pupils with ASN, their parents and their carers. We commend the work that teachers and support staff have done in providing support for pupils with ASN, but we were concerned to hear of the pressures that they face, which are leaving them feeling overwhelmed and burnt out. The committee was also concerned to hear parents and carers describe themselves as fighting for the right resources to be put in place for their children. We find that wholly unacceptable.

On the implementation of the presumption of mainstreaming, the committee is only too aware that the Scottish Government's getting it right for every child policy is intended to provide all children and young people and their families with the right support at the right time in order that every child and young person in Scotland can reach their full potential. Sadly, that is not what we heard was happening for many pupils with ASN. We were alarmed to hear that there is strong evidence that the majority of ASN pupils are not having their needs met.

Although we agree with the policy intention behind the presumption of mainstreaming, as set out in the Standards in Scotland's Schools etc Act 2000, we found that the gap between the policy intention and how it has been implemented in practice is intolerable. Parents and carers told us of their difficulties in getting the correct support for their child and of the misconception that a formal diagnosis is not only desirable but necessary in order to obtain that support. We recommended

"that the Scottish Government provides clarity in the Code of Practice on how support should be provided to pupils with ASN whether or not they have a formal diagnosis, including from agencies other than education."

The Scottish Government has confirmed that a formal diagnosis or identification is not required for a child or young person to receive appropriate support for their learning. The Government committed to providing further clarity on the issue in its refresh of the supporting children's learning code of practice.

The fact that there are long delays in accessing specialist provision within a mainstream setting is another issue that was raised by many witnesses. They include delays in accessing child and adolescent mental health services support and

speech and language therapy. We recommended that the Scottish Government works

“closely with bodies such as NHS Scotland, the Royal College of Speech & Language Therapists, CAMHS and COSLA, to identify the causes of such lengthy delays and ensure that a more joined up approach to providing specialist support within mainstream settings is adopted in future.”

We also heard concerning evidence about neurodivergent pupils who were masking at school—that is, pupils who expend a lot of energy trying to modify their behaviour in an attempt to mask the true extent of their neurodivergence. Inevitably, that means that, when they get home, they are completely overwhelmed and exhausted, which places huge additional pressure on them and their families. We say in our report that much more must be done to understand the prevalence of masking in schools

“and the effect that that is having on pupils’ school and home lives, in particular the impact on parents and carers”.

The Scottish Government has agreed to undertake a literature review on masking in children and young people with ASN and to identify relevant theories and methods and gaps in existing knowledge, with the aim of strengthening the existing resources. We are pleased that our report has helped to make that happen and we await the results of that literature review with interest.

We were concerned to hear that pupils for whom a mainstream setting is not appropriate do not always have access to adequate specialist school provision near them. That means that, through no fault of their own, some pupils have to spend a significant time travelling to and from school each day. We concluded that,

“Given the increase in the number of ASL bases and units within schools in the 20 years since the 2004 Act was passed”,

the Scottish Government should undertake

“a full review of placing requests to specialist services to consider how the current regime is working in practice”.

As part of our inquiry, we heard that the physical environment of a school can have a huge impact on pupils with ASN. For example, many recently-built schools have been designed in such a way that they are not accessible to all. Large campuses with open-plan designs can act as a barrier to learning for pupils with ASN, and particularly for pupils who are neurodivergent. On the existing school estate, we were told of many relatively inexpensive adaptations that can be made to improve accessibility for pupils with ASN. We recommended that the Scottish Government and the Scottish Futures Trust

“reassess the support and advice provided to local authorities to ensure that schools are designed as accessible and welcoming environments for all”.

In responding to our concerns regarding the physical environment, the Scottish Government told us that, with the Scottish Futures Trust, it has developed a 10-step plan to address the issues that the committee raised, and that work will include stakeholder involvement. We hope to be updated on that early next year.

We also looked at the impact of Covid-19 on ASL. Witnesses spoke of the anxiety and difficulties that pupils with ASN experienced in attending school post-pandemic. We heard that some pupils with ASN were not coping and their needs were not being met, which could really impact on their behaviour and wellbeing. The resulting behaviour is often disruptive and detrimental, and it can not only impact negatively on the pupil with ASN, but affect the learning and mental wellbeing of other pupils in the classroom. Sometimes, that can lead to the pupil with ASN being alienated.

We also heard that a disproportionate number of pupils with ASN were being excluded from school. We recommended that further work be undertaken by the Scottish Government and the Convention of Scottish Local Authorities to establish the reasons for that and what can be done to make improvements. The Scottish Government accepted that recommendation and said that it was engaging with COSLA, the Association of Directors of Education in Scotland and Education Scotland to consider it in detail.

Finally, the inquiry explored the use of remedies for parents and carers when things are not working well. I do not have time to cover all of what we heard, but I highlight that a number of witnesses told us that the current ASL landscape could be cluttered and confusing.

As a result of our report, the Cabinet Secretary for Education and Skills committed to looking at the communication mechanisms with families in relation to the rights of parents, carers and pupils and to parental and pupil involvement in the decision-making process.

I move,

That the Parliament notes the conclusions and recommendations contained in the Education, Children and Young People Committee’s 2nd Report, 2024 (Session 6), Additional Support for Learning inquiry (SP Paper 585).

15:00

The Cabinet Secretary for Education and Skills (Jenny Gilruth): I welcome the opportunity to respond to the Education, Children and Young People’s Committee’s report on additional support for learning. I thank the convener, committee members and the clerks for all their work on and commitment to this important topic. I also thank those who took the time to contribute to the

inquiry, whether in writing or in person, to provide the committee with evidence of their lived experiences—as we have heard from the convener this afternoon—their knowledge and their expertise.

As committee members will be aware, I committed to pausing the latest update of the additional support for learning action plan during my evidence session to the committee earlier this year. That was done quite deliberately to ensure that we fully considered and listened to the outcomes of the committee's inquiry. It is in that spirit that I will engage in and respond to this debate, to ensure that the Government's response takes cognisance of the committee's views.

Today, as we have heard from the convener, the number of pupils in Scotland's schools with an additional support need stands at a record high. As noted in the national discussion on education, that is a key feature and a strength of Scotland's unique and inclusive education system. Our additional support needs pupils are not additional—they are part of the fabric of our approach to school education. The committee unanimously agreed that the highly inclusive approach that is embodied in the policy and legislation that we have in Scotland is the right one, and I firmly agree. We should celebrate the inclusive nature of our approach to education in Scotland and be particularly mindful that it was not always so in the recent past.

That being said, I cannot stand here today without acknowledging that we still have challenges in the system, from how young people experience inclusivity, from their parents and carers, and from those whom we entrust to deliver their education. Those challenges are about policy intention versus practice, as the convener set out in her contribution.

When Angela Morgan published her report in 2020, she was clear that her recommendations were not a quick fix and that cultural change to deliver improvement on the ground for children and young people would take time. Today, 37 per cent of pupils in Scotland have an additional support need, and in some schools it is estimated to be as high as 50 per cent. To compare, when Angela Morgan published her review back in June 2020, just over 30 per cent of the school-age population was recorded as having an additional support need. In 2010, it was only 10 per cent.

I do not believe that those young people have simply appeared overnight. Indeed, I am firmly of the view that they have always been a key part of Scotland's education system. Perhaps we are better now at acknowledging them, although undoubtedly part of the shift is also down to the way in which we now record statistics.

Irrespective of that, there can be no doubt that the overall level of need continues to grow and that the complexity of need is changing, particularly post-pandemic, as the committee has heard.

Pam Duncan-Glancy (Glasgow) (Lab): Does it concern the cabinet secretary that the number of specialist teachers for pupils with additional support needs has gone down in that period?

Jenny Gilruth: Yes, and I am sure that we will hear responses from members on that point. I am also sure that the member will recognise that we now have record numbers of pupil support assistants in Scotland's schools as a direct result of investment from the Government. In the past financial year alone, we have seen 725 more pupil support assistants in Scotland's schools. However, I take the member's point in relation to specialist staff.

The education landscape continues to evolve, as we have seen a significant shift in the context within which we deliver education, as I referenced in last week's statement on qualifications reform.

Children and young people with social, emotional and behavioural issues are now the largest population of pupils with additional support needs. We know from the behaviour in Scotland's schools research that schools are dealing with a wider variety of challenges than they perhaps would have faced four or five years ago.

The financial context, which we debated not two weeks ago during Conservative Party time, is having a direct impact on the choices that the Government in Scotland is able to make. However, it is also worth while pointing out that it is within that challenging context that we have protected and increased funding for additional support needs. I know that the committee considered the issue and I appreciate that Audit Scotland is carrying out further work on spend, which will be helpful in addressing the other portfolios and areas of our public services that contribute to ASN spend.

Under this Government, authorities' spending on additional support for learning has reached a record high of £926 million in the past financial year. We also have the highest number on record of pupil support assistants—17,330—which is an increase of more than 2,000 since 2020. That additionality, which is protected by the Government, is helping our schools to respond to the individual needs of our children and young people, and those who are most vulnerable.

The recommendations from the Morgan review are being directly implemented through the additional support for learning action plan. The plan details the actions that are to be taken at national and local level to address the challenges

that are raised and to support the necessary shift in culture, leadership and values across the education system. We have already progressed more than half of those actions; 40 of the 76 actions have been delivered so far. To date, we have published two progress reports and we will publish the third progress report, together with an updated action plan, by the end of October.

Education Scotland's work, through its collaborative improvement visits with ADES, is one example of the progress that we have made. All local authorities in Scotland are engaged, and seven include a focus on ASL. The information from those reports is currently being made available through the national improvement hub on additional support for learning.

Another example is the work that is currently under way with Scotland's councils to establish parent groups for people whose children have additional support needs. The groups will be for parents and carers and will support enhanced collaboration and communication on additional support for learning—a key issue that the committee considered. That came from the "Learning together" national action plan, which was published in 2023, and we will look to further support that work in relation to communication.

Professional learning opportunities for our teachers and support staff continue to be a real priority. We know that there is more than one approach to addressing the issue of staff training, and I note that the committee did not have a universal view on the use of mandatory training on ASN. Nonetheless, we remain committed to exploring options regarding initial teacher education. To that end, I have asked my officials to conduct a short analysis of learning hours that are attributed to ASN support, specifically in ITE, across all of our initial teacher education providers. In Government, it is important that we understand the level of support that is given to teachers as they begin their journey into the profession.

The committee's recommendations cover a wide range of issues, some of which are directed towards the Scottish Government for action and some of which sit with other partners, such as local authorities. That collaboration will be key to progressing all of our existing areas of work. It is important to remember—as I know that committee members will—that powers for educational improvement often rest not with central Government but with local authorities.

I have indicated to the committee that, where we intend to strengthen aspects of the ASL action plan, we will deliver on the committee's asks. To that end, the updated ASL action plan, as I mentioned, will be published in the coming weeks. I hope that committee members will take note of

the progress and engagement in the plan's response to the committee's important work.

Willie Rennie (North East Fife) (LD): The minister has given a calm defence of her Government's record, but that is not what we got from parents and young people. They are angry and they are fizzing that years and years of talk have resulted in them being treated in a way that has left them feeling isolated. How much energy is the minister putting into the work? Her calm presentation is fine and professional, but that is not what the parents and children are feeling.

Jenny Gilruth: In the evidence that the committee took, I note the strength of feeling from parents, carers and young people. A large part of my work as education secretary is to go out almost on a weekly basis into schools and listen to that strength of feeling, so I very much recognise the emotion that is behind the frustration that parents often feel, particularly when they are not able to access services to which they should be entitled. As I am presenting the Government's calm and rational response to the committee's recommendations—which I think is the correct way to address them—I do not doubt the strength of feeling, and I am very much focused on delivering improvements to that end. I paused the update of the ASL action plan in order to listen to the committee and I will also be listening today to members' responses, including Mr Rennie's, to make sure that we drive the improvements to which he spoke.

The convener mentioned communications, which are a key theme that runs through the work of the project board as well as the committee inquiry. The next phase of the ASL action plan will look to prioritise the need to improve accessibility of communications for all. To go back to Mr Rennie's point, that has been a key frustration, which, as the committee has heard from parents, has fed into some of the emotive response that the committee has taken evidence on.

As members will know, I have also committed to updating the code of practice, which will address a number of the committee's recommendations. We are working collaboratively with a range of education partners to ensure that that guidance supports teachers and school staff in meeting the needs of our young people. A public consultation will provide further opportunity for stakeholder feedback. I will write to the committee once the date for that has been agreed, which I expect to be early next year.

Finally, the next phase of work will also prioritise the national measurement framework. Success is different for everyone and, as we heard last week, we must celebrate all learners' achievements.

I welcome the committee's inquiry on additional support for learning. It is a timely and necessary inquiry, and its contribution sits within a wider landscape of a Scottish education system that is much changed by the Covid pandemic. The context in which we are working is challenging, but I truly believe that, if we continue to work in partnership, we can support all children and young people to reach their full potential. It is in that spirit that I look forward to hearing the perspectives and thoughts of committee members from across the chamber today.

15:10

Liam Kerr (North East Scotland) (Con): The additional support for learning inquiry report is a serious document. I commend my committee colleagues, the Parliament staff and especially all those who submitted their views and appeared before the committee to help us.

The inquiry was launched to consider how the Education (Additional Support for Learning) (Scotland) Act 2004 and the presumption of mainstreaming from the Standards in Scotland's Schools etc Act 2000 are working—and that is not before time, because there has been an extraordinary increase in the need for additional support in Scottish schools. The cabinet secretary gave percentages, but I think that the figures are even more stark. There were around 260,000 individuals with ASN in 2023, which was up from about 70,000 14 years ago. That increase means that, although many people report feeling that the Scottish Government has, historically, ignored the issue, prevarication is not an option, now that nearly 40 per cent of Scotland's pupils have some form of additional need.

In fact, given the conclusions of the report, which came eight years after the latest amendment to the 2004 act and four years on from the Morgan review, some people might consider "prevarication" to be a polite way of putting it. The committee's conclusion at paragraph 62 is stark. It states:

"there was strong evidence to suggest that the majority of ASN pupils are not having their needs met."

That is not surprising, given the committee's finding that there is inconsistent implementation and application of principles across local authorities, which is leading to an inconsistent experience for children that is determined by where they live.

We also found, as a consistent theme, inadequate funding and lack of resources for schools to properly support children with additional needs, which is only getting worse.

That, in turn, is stretching existing services and is increasing pressure on already hard-pressed

staff, which is being exacerbated by existing challenges in availability, especially of specialists. That, of course, stands to reason. To put a number on the point that Pam Duncan-Glancy made in an important intervention earlier, there are now more than 600 fewer ASN teachers than there were in 2010.

All that leads to inconsistencies in additional needs being identified, with some people being missed or identified only following their having experienced significant challenges at school. Ultimately, that leads to a situation in which, although the policy of mainstreaming is broadly supported—as the commission on school reform, the Govan Law Centre and Unison Scotland, among others, said to us—there is a huge gap between policy intention and delivery.

The committee has proposed solutions that include better resourcing and training for teachers and staff; enhanced collaboration between education, health and social services to ensure comprehensive care when that is required; improved data collection and monitoring to assess the effectiveness of ASL policies; increased awareness of parents' rights; and clearer communication channels. However, we must not lose sight of the fact that the Morgan report suggested much of that in 2020. The fact that, four years later, the committee is finding much the same things under much the same Government suggests that the issue is not being prioritised in the way that we all think it should be prioritised.

Jenny Gilruth: Liam Kerr mentioned staff training. The committee took evidence on staff training for pupil support assistants and class teachers. Does he have a direct view on that? I appreciate that the committee took a range of evidence on the topic, with some people advocating mandatory training and others sitting in a different space.

The member will have heard me say in my speech that we are going to audit the number of hours that our initial teacher education providers provide in relation to ASN. It would be helpful to hear his views on that, and any other ideas that he might have on how we can provide a more consistent offer of staff training for teachers and pupil support assistants.

The Deputy Presiding Officer: I can give you the time back.

Liam Kerr: The very fact that we are having this conversation is productive, because the Government recognises the importance of that extra training. We have recognised it for a very long time—our manifesto for the previous election talked about ensuring initial teacher training that would fully prepare all teachers to identify and

support children with things such as dyslexia and autism. That was core to our manifesto offering.

When it comes to the core nature of the issue, and the need for prioritisation of it, I am afraid that the Government is not taking it seriously enough. That is borne out by the Government's response, including to the committee's proposed solutions. The Government's response claims:

"The Scottish Government is fully committed to ensuring that ... those with additional support needs, are supported to live their lives to their fullest",

despite the committee's report suggesting entirely the contrary.

The Government's response goes on to say:

"That is why we have a highly inclusive legislative framework in place, which enables early learning, childcare and school settings to address any barriers to learning."

However, the committee's report suggests that it enables nothing of the sort.

Willie Rennie's intervention was spot on: there has to be honesty about what is going on. I worry about the fact that, in its 27-page response, the Government, in characteristic fashion, either lauds past funding decisions and proudly states the inputs, without interrogating or assessing whether the outputs or the key performance indicators are being achieved—as the cabinet secretary just did in her remarks—or it pushes responsibility on to what it describes as its "partners", including COSLA, Education Scotland, the universities and so on. When it is not slopey-shouldering on to its partners, it talks about what the ASL project board might do.

Many people outside here might be unfamiliar with the board, which was set up in October 2020 with a remit to deliver the ASL action plan by March 2026. That lack of familiarity is no surprise. Given that the minutes of its 31 July meeting were uploaded only on 20 September, if we assume that the ASL project board duly met as was intended on 12 September 2024, people will remain unfamiliar for some time. That is a pity, because the cabinet secretary committed in her response to deliver a progress report on the ASL action plan.

That progress report was last discussed by the ASL project board on 31 July, when the project board was content to approve the progress report to be presented to the Scottish Government and COSLA decision makers for clearance. Perhaps the cabinet secretary can confirm in closing whether it has been presented and when precisely the plan—which, I think, she said would be presented in October—will come before us.

In her remarks, the cabinet secretary also committed to a consultation on a refresh of "Supporting children's learning: code of practice",

but I can find no evidence of that commencing, or of when it will. She committed to a literature review on the relationship between masking and ASN, but I can find no evidence of that happening. On the problems of delays that the committee identified, she said that she would engage with Scottish Government partners, including COSLA, and provide an update to the committee. I do not recall an update to the committee.

As I have mentioned COSLA, I note that its response to the committee was received and published only on Friday afternoon last week. To be fair, I point out that the cabinet secretary's response runs to 28 pages and was given to us in July. COSLA's response runs to two pages and fails for example, to mention COSLA's opinion on the progress report on the ASL action plan. I suspect that that was discussed at the latest ASL project board meeting, because COSLA co-chairs it, but I cannot be sure because the minutes of that meeting are, as I said, not yet published. My concern is that, in 2023, the minutes for September's ASL project board meeting were not published until 21 December. I sincerely trust that we will not have to wait three months for the next update.

I said a fortnight ago, during the Conservative debate on the SNP's axing of the school meals manifesto promise, that this is about priorities. The money is there to make good things happen; it is just that this Government chooses its priorities. In the two weeks since that debate, to add to the constitution budget being maintained at £347 million while education is axed by £6.7 million and health by £115 million, we have seen a Government whose First Minister prefers to go leafleting in Glasgow, that flew its net zero minister to New York last year on a trip that cost £70,000, and which devotes significant legislative time to a bill on Scottish languages.

ASL is one of the most serious matters affecting Scotland, and the report is a serious attempt to analyse what is going on and to recommend solutions. Unfortunately, it seems that the Government is anything but serious about dealing with it.

15:20

Pam Duncan-Glancy (Glasgow) (Lab): I apologise to you, Deputy Presiding Officer, and to other members, as I have to leave the chamber slightly early this afternoon, for which I have secured prior permission from the Presiding Officer.

It is a great honour to open for Labour in this debate on additional support for learning, which is a subject that is close to my heart. I am proud to have been part of the committee's inquiry. I

believe, as many colleagues do, that every child has the right to education, the right to reach their fullest potential and the right to equal opportunity.

Article 29 of the United Nations Convention on the Rights of the Child states that education must develop every child's personality, talents and abilities to the full. Those are not just aspirations but rights. I know, and my committee colleagues know, only too well how hard fought-for those rights are, because that is what we heard.

As a young woman, my life chances were put at significant risk. My family and I spent a considerable amount of time and energy on righting wrongs in the system. If it was not for the hard work of teachers, a Government and a school that were on my side, as well as a mum, dad and sister who were relentless in their pursuit of opportunity and equality, including for me, I might not be here today. The same opportunity should be available to everyone.

Jeremy Balfour (Lothian) (Con): Does the member agree that the report does not cover the children who do not make it to school? We have a growing number of children who are not getting the opportunity to even be there, and the Government is not dealing with that issue in an appropriate way.

The Deputy Presiding Officer: I will give you the time back for the intervention.

Pam Duncan-Glancy: Thank you, Deputy Presiding Officer.

Attendance is a serious issue, and pupils with additional support needs are more likely than others not to attend. I hope that the Government will take that matter incredibly seriously when it responds not just to the report but to the other factors on attendance that have been highlighted to us in recent weeks and months.

It should never have been a fight to get that opportunity. That it was and—as the committee heard—that it still is should be a sobering wake-up call. More than that, though, it must be a call to action. I hope that that is the spirit in which the Government will approach and act on the report that is before it.

The reality is that far too many young people's rights are not being upheld and their opportunities are being limited. This afternoon, we have heard from my colleagues Sue Webber and Liam Kerr, and from the cabinet secretary, about some of the ways in which the committee has set out how difficult things are.

Young people with additional support needs are being let down. They face numerous barriers in accessing inclusive education, and I contend that the barriers are systemic. Only this morning, we again heard in committee how the system works

against pupils with additional support needs. This morning, the Educational Institute of Scotland and others told the committee that their members stand up for quality education every day, and I thank them for doing so. However, they do not have the help that they need from the Government to support pupils with additional support needs as they should. They are rushed off their feet. The scaffolding around them and around the young people—CAMHS, speech and language therapy and educational psychology, to name just a few aspects of it—has all but gone.

Systemic change is required, and that needs political will. However, I fear that that is lacking. I am afraid that I could see that creeping in, as my colleague Willie Rennie has mentioned, in the Government's response to the committee's report, particularly on co-ordinated support plans. The committee heard that people do not access co-ordinated support plans, which, crucially, are the only plans that give them a statutory right to ask for help and support. We also heard that people do not access them because they cannot get the third-party involvement that is needed to qualify for them—CAMHS, speech and language therapy and educational psychology—because of waiting lists or because that is no longer available.

Instead of setting out what it will do to address that serious concern, which the committee has raised, the Government has again said that implementation is the issue. Implementation is, of course, the issue. However, on this matter, the statutory code of practice and the guidance need to be addressed if we are to take account of that and drive forward the change that is needed. We have heard before from the Government that legislation is not needed to resolve the issue. Indeed, I heard that said when we were discussing my member's bill. Pupils and parents across the country will be listening and saying that they have heard it before. We need action, not warm words from the Government. We do not have enough pace.

As we have heard, the number of pupils with additional support needs is going up but support, the number of specialist teachers and the scaffolding around them have dropped dramatically. In addition to that, a disproportionate number of pupils with ASN come from disadvantaged backgrounds, and greater support for children from such areas is also needed to level the playing field of opportunity.

There have been repeated calls from parents, teachers and support staff for change to be implemented. They are as angry as Willie Rennie has said they are, and they believe that talk is not enough. People feel that the Government has sat back, that it has let them down and that it has

refused to introduce the necessary legislation to change the playing field.

The Government has hidden behind the implementation gap, but the reality is that that is not enough. It commissioned Angela Morgan's review, which it published four years ago. I am disappointed that, to say the least, little has moved on since then. The only real change in the system is that more young people need support, teachers have to do more with less support and families are stressed out as they advocate for their children and young people.

Helen Forrest, the chief executive of Children's Health Scotland, said:

"it's shameful that the needs and rights of children and young people with additional support needs are"

still

"not being met".

Meeting the needs of pupils with additional support needs must be a priority, not just because the committee found that there is a significant gap between the ambitions and implementation of mainstreaming, because the situation was found to be intolerable or because there are more children with additional support needs, but because we, in the Scottish Parliament and the Government, have a moral and legal duty to get it right.

I am pleased that the committee's report recommends that the deficiencies be addressed with urgency, and I hope that the Government will act with pace. As the report sets out, there is a way forward. We can have an education system that promotes equal opportunity for all. If we listen and act, we can take teachers with us and support them to do the job that they know they can do. We can have a system that enables pupils with additional support needs to leave school with a fighting chance and that gives them opportunity. We know that that will require change that stops delays in the provision of support, that provides greater clarity and clearer career pathways for staff who support pupils and that puts parents, pupils and staff in school at its heart.

People like me do not always get the same life chances as others. Some of us, with the help of a tenacious family, parents, teachers and a good Government, buck the trend, but it is our job in the Parliament to change that trend. It is our job to lift the class, glass and step ceiling that is in the way of opportunity, with a relentless focus on spreading opportunity for every young person in Scotland. That is the job of a world-leading education system, and we can begin to have such a system again with a Government that is willing to do it.

15:28

Gillian Mackay (Central Scotland) (Green): I echo other members' thanks to the clerks, committee members and those who gave evidence to the inquiry.

As most members will be aware, and as the committee's report highlights, in the past decade alone, the number of pupils across Scotland with a recognised additional support need has doubled. As we have developed a better understanding of additional support needs, the number of pupils in Scotland who are identified as being in need of extra support has increased dramatically. However, those numbers do not include pupils who might have an additional support need that has not yet been recognised, for one reason or another, and who have slipped through the cracks of a system that is designed to support them.

The number of pupils with a recognised additional support need jumps wildly from year to year, not only because of our greater understanding of those additional needs but because of the disparity in reporting between local authorities.

Although, as members will be aware, I do not sit on the Education, Children and Young People Committee—I am impersonating Ross Greer today—I noted with great interest the contents of the report and the submissions to the committee. I will come on to many of them in due course, but one in particular relates to my previous point. The issue of when support can be put in place for a young person was highlighted in the report. It claims that some local authorities are waiting for a formal ASN diagnosis before putting the necessary support in place and that, in other areas, although that is not required, that fact is not communicated effectively to parents, which has a knock-on impact on the accuracy of reporting.

As we have heard, the only available support that is set out in law is co-ordinated support plans, but only 0.5 per cent of young people with a recognised ASN currently have one and the gap is continually widening. More and more frequently, we hear testimony—through the committee's inquiry and beyond—that councils do not fully understand what is required of them when it comes to co-ordinated support plans and that young people and parents have gone through experiences that have been nothing short of traumatic because of the lack of a CSP.

Co-ordinated support plans should play a critical role in enabling children to access the support required to have their rights fulfilled, but the criteria for them is too narrow for them to be effective. The current criteria, which are outlined in the Education (Additional Support for Learning) (Scotland) Act 2004, lead to an outdated and restrictive view of

the provision of CSPs by local authorities. Removing the current criteria from primary legislation would provide greater flexibility and adaptability in ensuring that CSPs work for individuals.

Martin Whitfield (South Scotland) (Lab):

Following the incorporation of the United Nations Convention on the Rights of the Child, should the Scottish Government not be aware that its failure to address concerns about co-ordinated support plans merely opens up a different avenue by which young people can bring an action against a local authority or, indeed, the Scottish Government?

Gillian Mackay: Absolutely. Mr Whitfield is far more of an expert in that area than I am, and he makes his point well.

A major barrier to young people accessing co-ordinated support plans is the requirement for a young person to need at least 12 months of intense support from multiple services. When everyone agrees that a young person needs a co-ordinated support plan, they might not be able to get one because that specific box cannot be ticked.

An option for changing the requirements for obtaining a co-ordinated support plan could sit with the proposed learning disabilities, autism and neurodivergence bill. I know that the bill would not be within the direct remit of education ministers, but I would welcome confirmation from the Government of whether it considers that an amendment of that nature would be within scope. It is disappointing that the bill is not included in the latest programme for government, but I welcome the reassurances from the Minister for Social Care, Mental Wellbeing and Sport and the Minister for Children, Young People and The Promise that work on the bill's provisions is under way, and I hope that the bill will be published as soon as possible.

My Scottish Green colleagues and I stand firm in our belief that education must be inclusive, with every young person able to thrive. However, the committee's report highlights that, although Scotland's education system is largely well intentioned, it is failing to deliver the inclusive vision that it set out to achieve. The failure is particularly evident when we consider the lack of adequate resources and support staff. Teachers and support workers are often overwhelmed by the growing demands in classrooms, and the committee heard from witnesses who described the increasing complexity of pupils' needs, but the level of specialist support—whether from speech and language therapists, from educational psychologists or from mental health services—is simply not keeping pace.

With the right resources, the vast majority of pupils with additional support needs can and should be supported in mainstream schools, although for young people with very high levels of additional needs, education providers for those with complex needs will continue to provide the most appropriate education environment. However, as witness after witness said in their evidence, the implementation of mainstreaming has been problematic and has not been properly resourced. As the committee's report highlights, children with more complex needs are increasingly being placed in mainstream settings without appropriate support. That is setting them up to fail, and it is putting immense pressure on teachers, who are not equipped to manage pupils with diverse and complex needs without the right training and resources.

I am sure that there will be a lot of talk in this debate about the lack of resources. I recognise that it would be inappropriate of me to demand more and more from the Government while the cabinet secretary's budget is becoming tighter and tighter. However, although I recognise the challenges of funding such a system, there must be greater scrutiny of how current spending priorities across the Government might be rebalanced to better support young people. The Government continues to pursue a wide array of wasteful spending. In education, one saving—albeit a small one—could be made by ending national standardised assessments. In other areas, shooting estates get about £4 million-worth of tax breaks, and there are other tax breaks for large, highly profitable organisations. That would be a good place from which to start reallocating money.

The education portfolio bears a disproportionate burden of in-year budget balancing exercises because, unlike many other portfolios, it has areas of spending that can be reallocated each year. The collective effect of that in the past few years has been disproportionate and has had an impact not only on tackling rising issues with behaviour in schools and the universal provision of school meals, but on the support that can be offered to the ever-rising number of young people in Scotland with additional support needs.

15:35

Willie Rennie (North East Fife) (LD): I am in awe of the committee clerks who were able to write such a coherent and powerful report using our various ramblings on the committee, and of the powerful, emotional and angry witnesses who came forward. The clerks have been able to transcribe that into an effective report that has struck at the heart of the Government.

I received some information from the National Autistic Society, which carried out a survey of pupils, parents and teachers. Although there was support for mainstreaming, an even higher percentage—81 per cent—said that Scotland does not have a fully inclusive education system. I will read out one especially powerful quote from someone, who said:

“My son was trapped in mainstream and did not cope, even with full one-to-one support, which was provided by several teaching assistants borrowed from different classes from different year groups at different times of the day and the week. They had no training or real understanding of autism or dyspraxia. In his time at mainstream school, my son was taught at a desk at the back of the stage in the hall, with very little teacher input.”

That is a recent experience, and it should shame us. We are supposed to have a fully inclusive system, but that young man was taught at the back of the hall by a range of pupil support assistants with no specialist training, from a variety of different classes and at different times. That should not be happening.

That colours the whole report and contrasts starkly with what we sometimes celebrate as our ability to identify more people with specialist needs. If we do not address those needs, however, there is little point in identifying them. We can celebrate until the cows come home, but if we do not do anything about it, all that we are doing is setting people up to fail. That was the conclusion of our report.

I meet a lot of parents who have young people—and sometimes older people—with additional specialist learning requirements. They fight all of their lives, and they are brilliant at doing so. They are effective at making the authorities listen, but they should not have to put so much effort in, because the system should be helping them instead of putting up barriers. However, they do it all of their lives.

We have had the Morgan review, we have legislation, we have GIRFEC—indeed, we have policies and legislation coming out of our ears, but the real impact on the ground is very limited. More than one in three pupils in a typical class will have some kind of need.

I have talked about the pupil experience, but the teacher experience is just as challenging. How are teachers supposed to cope with a huge, wide range of needs in a class? We are not talking about an homogenous group of young people; they have a variety of needs that requires a variety of specialists and training. How are teachers supposed to cope with that huge variation?

There has been some talk of mandatory training. One of the cautions that we had about pursuing that sort of mandatory route was that, because the cohort is so wide and varied, and

because people's needs are so wide and varied and change from day to day and year to year, knowledge and understanding of them change constantly, too.

That is why the speech and language representatives who spoke to the committee were so powerful. They regretted the fact that they were not in the class, providing support, exchanging knowledge and making sure that practice could be brought up to speed. Instead of doing the teaching themselves, they wanted to help teachers to deal with that particular pupil and their particular needs. I thought that that was a particularly powerful bit of evidence.

I am therefore cautious about mandatory training. Of course we should have an awful lot more training—that should be in the nature of the job—but the way in which we deliver it needs to be bespoke to the individual young people in the class.

When the education secretary came before the committee, she expressed reservations about the current practice of building big, open-plan schools, and reservations about that were also expressed to us directly by, I think, the National Autistic Society. I am puzzled about how we have pursued the construction of new schools over the 17 years of SNP Government without that knowledge being shared with those who design the classrooms. It came as something of a surprise to the education secretary that it was happening, but I know that, in Fife, two schools are being combined with a college to create a whopping big super-campus. John Swinney insisted that that should happen, even though the college was not particularly keen on going down that route. How on earth has there been such a disconnect between what the education secretary believes now, which I have sympathy with, and the previous practice of building colossal, whopping big schools, often at the direction of the minister at the time?

As a result of that disconnect, we have built many schools to a design that is perhaps not suitable for many young people, especially those who are neurodivergent. I would like to hear what the education secretary intends to do with regard to a change of practice in that area, because we continue to build more schools, and we continue to build schools that are perhaps not suitable for many young people.

Of course, resources are an issue. We need to make sure that we get the right resource into this area, and we need to look at reallocations. However, the issue is not simply about resources—it is about the practice, too. We need to make sure that we have the right teachers, with the right training, in the right place, with the right attitude and the right support from leaders in

education authorities and in the Scottish Government.

The Deputy Presiding Officer: We move to the open debate.

15:41

Ruth Maguire (Cunninghame South) (SNP): I congratulate the Education, Children and Young People Committee's convener on securing the debate and the committee on being true to its word and keeping a sustained focus on the experiences of children and young people with additional support for learning needs.

As a former member of the committee who was involved in its work in this area, I thank the children and young people and their adults who shared their experiences with us. The committee was fortunate to hear directly from the inclusion ambassadors, who were supported by Children in Scotland, on how it feels when their school gets support right. I appreciated how openly and generously they spoke of their experience as pupils with additional support needs, and their experience of what works and what could be made better.

It feels right to share what they said with members. They told the committee that pupils feel really good when the support that is provided is correct and suits their needs. They let us know that it was hard to understand when somebody does not give them the support that they need, and they highlighted that it does not work well when there are not enough support staff to cope with the number of pupils who need support, which can lead to pupils feeling frustrated. That brings us back to the point that Willie Rennie made about support staff being moved around. Every time that that happens, a young person misses out, as a result of a support staff member being moved elsewhere.

As I have said, the committee met young people, the inclusion ambassadors and parents, carers and teachers in informal participation sessions to ensure that it heard directly from people with personal experience so that it could get a handle on the issues that they faced. The committee was extremely concerned by what it heard about people's negative personal experiences of ASL provision, the implementation of the presumption of mainstreaming and the detrimental impact that that has had on some pupils with ASN and on their parents or carers, teachers and support staff.

It is important to say that the committee recognised the excellent work that was being done by teachers and support staff, but it was extremely concerned to hear about the pressures that they faced, which left them feeling overwhelmed and

burned out. The issue of resource was a frequent theme, not only in relation to the number of staff and assistants who are available to support children, but when it comes to providing the flexibility to allow staff the time for on-going training and reflection on practice.

Parents often described the exhaustion that they felt in their fight to navigate systems in order to ensure that their children had the education that they were entitled to. There is no doubt in my mind that a gap exists between the legislation and policy that we have—and which are excellent—and what children and young people are experiencing. The strength of feeling from the committee's report should be really clear: when a cross-party committee's report uses words such as "intolerable", the Government needs to take notice.

I will share an example of a bit of work from my local authority area. I had the pleasure of helping to facilitate discussions and actions between ASN support Ayrshire, which is a parents group, and North Ayrshire Council. ASN support Ayrshire had reached out to me, with parents expressing their struggle to access support for their children—support to which, again, they were entitled—and feeling that their opinions were not being valued, that they were not being heard by schools and that communications were becoming really challenging.

When I raised the issue with the local authority, it was very open to meeting and discussing things. I and a representative from ASN support Ayrshire, the executive manager for inclusion and child protection, and the principal educational psychologist had productive discussions at which training, parental engagement, communication, the E19 process, masking and areas of excellent practice were all talked about.

A suggested improvement was accepted to the E19 process with regard to parents being able to see the report submitted to the inclusion group and ensuring that all parents were aware that they could submit a statement and any additional information that they felt was pertinent. The council shared its proposed new literature with the ASN support network for its feedback, and monthly meetings and on-going collaboration are planned.

The committee's report states that

"improvements can be made to current practice, without incurring additional expenditure".

What I have just described is quite a good example of that. I am hopeful that those actions will make a difference to how parents experience their journey with children through the education system.

The committee's report also recognises that

"where systems need to improve it is as important to understand where things are working as well as where there are challenges."

The importance of that point, as we move forward, is that, where an implementation gap exists and people are being failed, despite good policy and perhaps world-leading legislation, more legislation and structural change might not be what is required to make things better for people. We have to be vigilant that we, in this place, are not simply labelling whole systems as broken.

In this and in previous committee inquiries, it has been clear that some of the best practice and results for children and young people were more about culture than about legislation. There is some learning in that for all of us and for children and young people in Scotland, and it is a lesson that we really need to learn quickly.

15:47

Jeremy Balfour (Lothian) (Con): I am sure that my colleagues will be aware of the strong feeling that disabled issues are not taken seriously in the Parliament. There has been a distinct lack of action during this parliamentary session and, with two disability bills kicked into the long grass and £10 million stolen from changing places toilets, many individuals and organisations are, rightly, feeling let down. I am, however, grateful to the Education, Children and Young People Committee for its work on the report and I hope that it can spark meaningful action that will improve the lives of disabled children in our schools.

I had a very positive upbringing: I had supportive parents who fought hard to ensure that I did not lack any opportunity on the basis of my disability; I attended mainstream classes during my whole education; and I was able to be involved in various activities. Until 2016, I believed that I had had a fairly normal experience. Since being elected, I have seen more and more evidence that mainstreaming is not the gold-standard solution that it perhaps has been seen as in the past.

I agree with the committee's findings that a presumption of mainstreaming is a positive thing but I believe that, in many cases, we have gone too far, by forcing children into classes that are not suited to them, which ensures that they and their peers will fail. The reality is that a mainstream class will never be suitable for many children, but that is okay. We have to accept that alternative educational pathways are a sign not of failure but rather of success in supporting an individual's learning.

Whatever the pathway, it is of the utmost importance that we ensure that the right resources are in place to support those who need it. During

oral evidence, the committee heard from the Salvesen Mindroom Centre that there are many cases in which a child is in mainstream school but the school cannot provide adequate support, and it can be a real struggle for parents to secure specialist provision. We cannot allow that to continue.

No one can provide high-quality education without the necessary funding and resources, regardless of the additional needs of the class. If mainstreaming is to work, we have to have ASN teachers in the classroom with the financial support that is needed. That comes down to the resourcing of local government. We cannot run away from the fact that, without the money, children will fail. Recognising that, it is equally important that we ensure that special school places are readily available for those who require them.

Again, I understand that the committee heard during oral evidence that places can be hard to come by and that a number of children with additional support needs have no provision in their area. That is unacceptable, and I am pleased to see that the committee recommends that local authorities should assess what specialist provision is in place and address any gaps in provision urgently.

I draw attention to the fact that there is a tendency to act as though, once someone who has additional support needs has their place in a class—whether mainstream or not—that is the end of the story. On the contrary, we should recognise that additional support needs are not set in stone and can change because of many factors. Just because a solution is appropriate at one moment, it does not mean that it will be appropriate for the whole of an educational period. Sometimes a child is happy in a mainstream class for a while but then their needs change to the extent that a special class might be more appropriate. The journey continues, and we should be ready to adapt where that is needed. We must have a system that is comprehensive enough to ensure that all children have a solution that fits their needs and is flexible enough to deal with the fact that those needs can change.

This is not a theoretical discussion; it is not just a debate to fill a Wednesday afternoon. I have been approached by a constituent whose child has just finished primary school. They attended two days a week, and for those two days they were educated in the hall outside the classroom with one support teacher. At best, they got 10 minutes a week to play with other children. We are dealing with real people for whom this is a real issue.

At a recent event in the Parliament, we heard from parents of young people with autism who are thinking about committing suicide because of the

state of their education in Scotland. That is a shame on us all and is unacceptable, but the cost-cutting actions that are sometimes proposed by local authorities, including the officers here in the City of Edinburgh Council, are contributing to this dire situation. I hope that we can all treat the topic with the seriousness that it deserves, collectively take it much more seriously and bring about change.

15:54

Stuart McMillan (Greenock and Inverclyde) (SNP): I thank the Education, Children and Young People Committee for undertaking this work and producing this hugely important report, which I very much support. The report was timely for me as a local MSP given the increasing number of constituents who have raised issues that are facing children with additional support needs.

Some of the initial issues that were raised with me concerned Inverclyde Council's play 4 all scheme, which aims to provide affordable childcare during the summer holidays for children with ASN, but many more issues quickly came to the fore. Because of the demand, several children were not granted a place, which left families without any viable childcare option during the summer and led to some parents having to take unpaid leave to be at home with their child. Many of those whose child was granted a place on the scheme told me that they were offered four hours of childcare for the whole six-week holiday period. Understandably, that was entirely unworkable for most families, as the disruption to their child's routine for those four hours meant that it was not worth sending them.

Another point that came up during the discussions was the length of time that it would take for the children to settle into school when they went back after the summer holiday break. The four hours were certainly nowhere near enough to assist with that.

I raised those concerns with Inverclyde Council, which recognised that improvements needed to be made to the play 4 all scheme. Sadly, as the committee's report highlights and as colleagues across the chamber have indicated, children and young people with ASN face broader systematic challenges than that.

I shared the report with the recently established ASN parent and carer group Inverclyde. After seeing the group advertise activities for families in Inverclyde with ASN children, I reached out to it. I was pleased to see that the offering was being made, given the challenges with the play 4 all situation locally. However, when I met several of the parents who had been attending the group

sessions, it was clear that there remains a huge gap in ASN childcare provision in Inverclyde.

Families noted that various local facilities offer ASN-friendly services, such as Waterfront cinema and several of the soft play centres, and that they were happy to pay for those services. However, the initial issue that they came to me with was that the summer holiday childcare options that are available to children with ASN are not on a par with the package that is offered to neurotypical children. Funded play schemes for neurotypical children were offering days and weeks of childcare. One of the big frustrations was that a school in Port Glasgow that is considered to be one of the best schools for children with ASN was closed over the summer. That resource could have been utilised to help children.

I organised a round-table meeting that involved members of the ASN parent and carer group Inverclyde and local councillors to discuss the myriad of issues—from childcare to schooling—that impact children with ASN. Paragraph 29 of the report includes the word "fight", which others have used, but the whole paragraph is important. It says:

"Many responses to the call for views contained details of negative personal experiences, including parents and carers having to 'fight' to get support for their child and some disturbing accounts of the impact on children and young people with ASN's health and mental wellbeing."

Sadly, that reflects the feelings and experiences of the families that I have spoken to and met in Inverclyde. In fact, so many of the experiences that local families face reflect those of families across Scotland.

The Morgan review, which has been touched on, was published in 2020. It considered the post-legislative landscape for additional support learning. The convener spoke about that in her opening comments. I agree with Angela Morgan's position that her recommendations were "not a quick fix" and that cultural change that will deliver improvements to ASL implementation and ensure meaningful change for children and young people will take time.

When we consider the stigma around mental health, we can see that cultural change can happen. In the past 15 years, society has changed greatly in that regard. I welcome the fact that society has changed, because it means that more people are seeking the help and assistance that they need. The situation that we are discussing today will take a bit of time to resolve, but we have to attempt to lead on policies. I am pleased that the Scottish Government will update the additional support for learning action plan to reflect the relevant recommendations of the committee's report. The cabinet secretary spoke about the third

update coming later this year, and I certainly look forward to reading that.

It is worth noting that some improvements have taken place. First, there are 17,330 pupil support staff in Scotland, which is the highest number on record and represents an increase of more than 2,000 since 2020. Work is also being done on the map of how ASL policy stretches across the education, health and social care sectors to ensure that we can work across boundaries to deliver better support. However, there is still so much more to do.

I again thank the committee for producing this important report and for keeping ASN on the agenda, which will help many households and children who need the support. Crucially, it will help parents. Parents want only the best life chances for their children, and parents of ASN children are absolutely no different in that regard.

16:00

Alex Rowley (Mid Scotland and Fife) (Lab):

The additional support for learning inquiry that the committee undertook and the discussion that we are having today are crucial if we are to understand some of the big issues and challenges that schools, pupils, parents and staff are facing in Scottish education at this time.

My view is that the inquiry—along with the committee report—has highlighted a range of key issues that must be addressed. As well as thanking the committee for its work, I thank those who gave evidence for providing a wide range of knowledge and experience of what is happening on the ground.

I suspect that the big question on the minds of those who gave evidence, those in the school community and parents up and down the country will be: what now? Will this report lead to action to address the issues that have been raised?

In responding to the report, the education secretary stated:

“Scottish education has an inclusive ethos and over the past 20 years, we have made extensive policy and legislative changes to enable those with additional support needs to thrive as part of their class, their school, and their wider community.”

Unison acknowledges the point about legislation, strategy and policy in its written submission when it states that

“there are some good strategic and policy papers around supporting children”,

but

“these have not been matched with adequate funding to enable their implementation or recruitment, training and support for the staff in order to ensure they can deliver the correct support.”

We can have the very best of policy and strategy papers, and put them into legislation, but if we then fail to put in place the necessary levels of resource, those policies and strategies will not succeed.

The report highlights a range of issues where improvement is needed. Those include poor communication with families; the disproportionate number of children with additional support needs who are being excluded; the call for greater flexibility of learning for pupils with additional support needs; the transition from primary to secondary school, and, indeed, into adulthood; the requirement for public services to work more closely in partnership; the need for continuous professional learning and development training for teachers and learning support staff; the need for guidance on school buildings and the built environment; the need to review specialist school provision; and the difficulties that parents and pupils experience in getting the correct support.

Those are some of the key issues that must be addressed if we are serious about making this report count; they can and should be addressed across a range of professional services that are provided in the public sector. However, that needs overall leadership and drive, which, in my view, must come from the Scottish Government.

More focused funding is required. I know that the committee has asked the Government to do more work to quantify the level of expenditure that is being allocated to additional support for learning. It has also asked Audit Scotland to consider undertaking audit work on that cross-cutting spend. I hope that that will be picked up, as I believe that it is required in order that informed decisions can be made on the finance required to deliver on the policies, the strategies and the legislation for additional support for learning in Scotland.

I reiterate the point that Unison made in its submission:

“Overall, our response is summed up by saying that while we support mainstreaming in principle, it must be sufficiently funded. While there will be some very good practice going on in some schools, it is currently not working well for too many children, those with identified ASN, and other pupils. Despite the best efforts of dedicated teaching and support staff and other education professionals, they do not have sufficient resources and support to deliver the quality learning experience all pupils deserve.”

It also said:

“while we and our members regularly highlight the understaffing and under resourcing, we see no signs of major improvements, particularly given the huge constraints on local government finances.”

It added that cuts are putting

“immense additional pressures on council spending”.

It notes the cuts that have been made to the budget for additional support for learning provision and educational psychologists, with flat-rate funding having been put forward last year, and that

“Spending on mental health services is also being cut—at a time when there remain serious concerns about mental health waiting lists, including access to Child and Adolescent Mental Health Services (CAHMS).”

It goes on to say that access to such services

“can be patchy and the link with schools is often a postcode lottery.”

We must see a far more joined-up approach to mental health for children and young people if we are serious about making the kind of changes that the committee’s report calls for.

16:06

Bill Kidd (Glasgow Anniesland) (SNP): I thank all those who contributed to the inquiry—parents, carers, teachers and, especially, young people. Their voices are essential to the report and its recommendations. I welcome the fact that the report has been positively received by the Scottish Government and that the Government has committed to updating the ASL action plan in line with the committee’s recommendations. We all know the challenges that we face, and I believe that the Government is sincere in its determination to meet those challenges.

The Morgan review in 2020 set a clear direction for the progress that can be made in ASL. Although the legislative framework is solid, the real challenge lies in translating those principles into effective practice. I think that the Government recognises that there is still work to be done and it is committed to ensuring that inclusive policies are realised in every classroom, which is what is required. Angela Morgan’s recommendations are not a quick fix, but they offer a road map for meaningful, lasting change. It is essential that we embed support for all children and young people as early as possible. That is why we have a highly inclusive legislative framework in place, which covers early learning and childcare, and school settings.

The Government’s approach is anchored in getting it right for every child—GIRFEC—and looks to ensure that no child is left behind. That approach is not about having additional support as an afterthought, and it must not be; it is about creating an education system that actively removes barriers to learning.

The pandemic intensified the challenges in our schools, from attendance to behaviour, and young people are still feeling the effects of disrupted learning. We all recognise that, and our focus

remains on building a system that responds to such challenges.

Importantly, we have also seen a significant increase in the number of learners who require additional support. That reaffirms the need for a whole-system approach to inclusivity. ASL is not a side issue; it touches every part of our education, health and social care sectors, which is why we must map how ASL policy spans those areas to better co-ordinate services for young people and their families. The principle of mainstreaming must remain fundamental to our approach.

We have made extensive legislative and policy changes over the past 20 years to help children with additional support needs to realise their potential in classrooms, schools and communities. However, we must recognise that mainstreaming is not without its challenges, as has been said. For some children, specialist environments are more appropriate, and we must remain flexible in ensuring that all pupils get the support that best meets their needs.

We also acknowledge the financial pressures on our education system, which have been exacerbated by austerity and the pandemic.

Despite those challenges, the Scottish Government continues to invest in young people. In 2022-23, local authority spending on ASL reached a record high of £926 million. That included an annual investment of £15 million for councils and £11 million specifically for supporting pupils with complex additional needs. On staffing, we now have 17,330 pupil support staff in Scotland, which is an increase of more than 2,000 since 2020. I am pleased to say that that reflects an on-going commitment to ensuring that teachers and support staff have the resources that they need to try to deliver the best outcomes for every child.

On that note, I recently received correspondence from a constituent who was concerned about Glasgow City Council’s decision to remove the headteacher from one of my local primary schools, with little notice taken of the effect that that is having on pupils, in particular those with additional support needs. Alarmingly, my constituent has been told by the school—somewhat disingenuously, in my view—that funding for one of its pupil support assistants was removed as a result of the announcement that free school meals would not be extended to all primary-age children at this time; that does not make much sense to me. I will write directly to the cabinet secretary on my constituent’s issue; however, I wonder whether it would be possible to correct the apparent misconception that is being promoted by the school.

As we know, the ASL action plan will be updated alongside the release of a progress report this autumn, which will reflect the committee's recommendations and the changing educational landscape. I look forward to reading that report with keen interest. The ASL project board will also continue to play a crucial role in ensuring that policy evolves to meet the emerging needs of our young people.

I do not pretend that there are not real challenges here, and I know that more must and can be done. However, as I have said, I believe that the Government is sincere in its commitment to take forward the significant recommendations that are set out in the committee's report. I, for one, will look to hold the Government to that commitment. Mainstreaming, inclusivity and ASL are not just goals; they are principles that shape the kind of Scotland that we all want to see.

The Deputy Presiding Officer (Annabelle Ewing): We move to closing speeches. It is regrettable that we do not have the committee convener in the chamber for closing speeches when it is a committee debate.

I call Gillian Mackay to close on behalf of the Scottish Greens.

16:12

Gillian Mackay: One of the more striking concerns that was raised during the committee's inquiry is the challenge that is faced by parents when they try to navigate the complex and often opaque systems that are designed to support young people.

In my opening speech, I spoke about the role that co-ordinated support plans should play. Scotland's education system is not one in which parents and young people should have to fight to get information about their rights, not least when they are in a country that has enshrined the UNCRC in law.

At present, many local authorities make it difficult for parents to engage with support services. One easy remedy would be to place an obligation on councils to proactively inform parents about their rights and to clearly signpost next steps in relation to needs assessments, transition plans and support plans. Simple steps, such as timely communication on the available options, would empower parents, reduce stress and ensure early intervention where it is needed most.

However, in some circumstances, that would not be enough. I am supporting families in North Lanarkshire who are having a hard time getting transport to get their children with an additional support need to school, as a result of a cut in bus entitlement. For some families, not being able to

get their child to school is a barrier to the child's education as a whole. The decision for that cut clearly did not factor in children who have an additional support need but who are in mainstream school. Many of them could tolerate the school bus and were relatively safe in that relatively controlled environment, but the service bus is not appropriate for them. As far as we can find, there was no outreach to those young people or their parents about the impact on them. That example shows, however, that improving communication alone is not a cure-all. Even with the best of intentions, informing parents and young people of their rights does little good if the support services or schools that they are in are overwhelmed.

Despite a recurring £145 million intervention that the Scottish Greens delivered during our time in Government, many local authorities failed to use that cash for the desired purpose of transferring temporary teacher contracts to permanent ones. That has, sadly, resulted in the number of teachers in Scotland falling, and, unfortunately, all indicators point towards teacher numbers continuing to fall. Having fewer teachers, particularly those who specialise in additional support needs, while the number of pupils continues to rise, is a recipe for burn-out and an overwhelmed system.

I was proud that two particular Government commitments, which focus on increased staff levels for those with additional support needs, were introduced through the Bute house agreement.

The first commitment was to develop a programme of accreditation and registration for additional support needs assistants.

The second commitment was to work with the Scottish Negotiating Committee for Teachers to ensure appropriate career progression and pathways for teachers who are looking to specialise in additional support for learning.

Although it was delayed, progress on the first of those two commitments seemed to be progressing positively. However, since the Greens left the room, we have heard nothing about it from the Government.

The second commitment, which was also in the additional support for learning action plan, seems to have stalled as well.

The most recent update to the ASL action plan was published in November 2022 and, despite an initial Government commitment to review the plan this spring, I am glad to hear confirmation that a further update is due soon. I would be particularly keen, as would my colleague, Ross Greer, to hear from the cabinet secretary, either in her closing speech or in writing, with an update on both commitments. We would also be happy to

contribute to the upcoming refresh of the ASL action plan.

We recognise the scale of the challenge that the Government faces, but that cannot be met with inaction. It is clear that targeted investment in teacher training and career progression, as well as the expansion of multi-agency support in schools, is crucial to tackling the problems in implementing mainstreaming and access to support.

In the spirit of collegiality, we remain committed to the delivery of those promises, and we are happy to work with the Government on delivering them.

One area in which I am glad that we are making progress—and that will have a positive knock-on effect—is the provision of mental health support services in schools, which guarantees access in school to mental health and wellbeing support. We are far from being in a position where every child has equal access to those services, but the past three six-monthly reports have shown a steady increase in the number of children and young people who access those expanded services. However, the most recent period on which the Government published a report came at the end of 2022, and no further Government reports have been forthcoming. Again, we would be interested in any updated reporting on that.

I was interested in Jeremy Balfour's comments about anything other than mainstreaming for a young person being seen as a failure.

One thing that I do not often hear being discussed is how we ensure that the young person finds the best place for them. We have spoken about various plans, reviews and support plans, and I am amazed that parents know where to start.

Setting aside the current issues with resource, to address the culture, we need to offer both mainstream and additional support settings as equal options. As Jeremy Balfour noted, we also need to be able to move between them, depending on a change in the child's or young person's needs. It is also crucial that the support follows the young person.

It is important that we do not see those issues as individual, with specific and tailored responses to each one. The solution to properly addressing additional support needs and wider issues is to view all of them holistically.

If we are serious about ensuring a fairer education for all, we must ask ourselves how we can reconcile our commitment to inclusion and support for ASN pupils with the fact that classrooms are increasingly crowded and teachers are overwhelmed. I hope that the Education, Children and Young People Committee's report

will be a significant stepping stone to achieving that vision.

16:18

Martin Whitfield (South Scotland) (Lab): It is a privilege to close the debate on behalf of Scottish Labour. Before doing so, I echo Pam Duncan-Glancy's apology for her not being in the chamber for the closing speeches of the debate.

As many members have done, I thank the committee and those who gave evidence. I also thank the committee for going out of its way to ensure that its report was published in an easy-to-read format, so that the young people and children whom we are talking about were able to gain access to the report in a way that made sense to them and allowed them to give feedback.

I welcomed the involvement of inclusion ambassadors, who brought the words and lived experience of children into the report. It is worth noting that some of the inclusion ambassadors' findings sat slightly at odds with a substantial amount of the evidence that the committee heard.

It is interesting and right to put on the record that the inclusion ambassadors said that they feel special and that they have kind and understanding teachers. The ambassadors gave evidence that teachers take the time to ask about pupils' needs and suggested that making connections between teachers and themselves was important in their experience as ASN pupils.

I put that on the record because it is important to understand that, as a number of contributions from members have shown, some people are able to navigate the system successfully, which means that it can be done for all children. It is important that we recognise that. That does not take away from the lived reality of the significant number of parents who contributed evidence that there are massively marked failures in the provision, some of which are postcode orientated and some of which are with the whole system of advice, forms, committees and acronyms that are used. It is clearly true that parents are left fighting every day and that pupils are being let down by the mismanagement of ASL provision. I felt that it was important to point out the experience of the ambassadors, although I do not intend to detract from anything else.

The support that young people need has, in effect, been dismantled over a period of time. As the cabinet secretary rightly pointed out, that is in part because of the massive increase in numbers and the expectation that follows. However, when we look at the provision for speech and language therapy, CAMHS, support assistants and additionally trained teachers with regard to needs, we see a system that is stretched. It is stretched to

the point where we hear truly frightening examples of a child being left at the back of the hall, effectively abandoned. We heard contributions that reflected that situation from two geographic areas in Scotland. That is seemingly the way in which provision is handled in some schools for children who find it really challenging to be in class. That goes to the heart of the report and the need for mainstreaming.

A number of members raised the question of masking by pupils. I welcome the Government's confirmation of a literature review on that. As others have done, I would push to have a date when that will be available. Literature reviews are challenging to do but are not time consuming, and it would be useful to have that, because it would be a powerful contribution to the debate.

There is a strong urgency in the report, given the deficiencies that have been mentioned and which are affecting thousands of parents and pupils. As we have heard, Morgan reported on those many years ago, and the committee found, broadly speaking, exactly the same outcomes, but we are no further forward in that respect. I think that the delays in providing support and specialist provision in mainstreaming have affected the view that parents now take of mainstreaming.

When mainstreaming was originally proposed and rolled out, it was an incredibly effective and supportive way to say that young people, where they are able, have a right to be in mainstream education, to play with other children and to be in an educational environment. The challenge is that, with the increasing number of additional needs, mainstreaming has perhaps stopped being a priority in the provision that has been given. It was easier to remove support from that, thus making it inappropriate for significantly more children at this time.

Time is short, but I would like to finish with just two points. The first is on paragraph 29 of the report, in which the committee rightly said that there are

“disturbing accounts of the impact on children and young people with ASN's health and mental wellbeing.”

That phrase “disturbing accounts” should not just ring alarm bells but bring the issue to the very front so that we can see exactly what we are going to do about it.

Finally, I will refer to the powerful contribution from my colleague Alex Rowley and simply ask the Government, “You have heard what has taken place in the chamber—what now?”

16:24

Roz McCall (Mid Scotland and Fife) (Con): It is a pleasure to close this afternoon's debate on

behalf of the Scottish Conservatives. It has been an incredibly important debate on an incredibly important report. I, too, place on the record my thanks to the committee members and clerks for producing it, and to the inclusion ambassadors, parents, carers and teachers who came and gave evidence to the committee.

The challenges for Scotland's education system in dealing with the growing number of young people with additional support needs have been articulated by every speaker. However, before I highlight some of the contributions, I would like to take a moment to look at the simple facts that are before us. The number of pupils with additional support needs has increased significantly. In 2010, 69,587 pupils were classed as needing additional support in school; by 2023, the figure was 259,036 pupils. During the same period, the number of ASN teachers decreased from 3,524 to 2,898. In very simplistic terms, back in 2010, one ASN teacher was supporting 20 pupils; by 2023, that same ASN teacher was supporting 90 pupils. It does not matter whether the increase in the number of ASN pupils is down to better recording or diagnosis—the fact remains that the number of teachers is down.

The cabinet secretary highlighted the resources, which are of course important. She also highlighted the 17,330 support assistants in our education system to deal with these more complex needs. However, so far, that has not been reflected in reality, as the committee's report so eloquently highlights.

I turn to members' contributions to the debate. I thank the convener, Sue Webber, for her summary of the report, which highlighted all the issues excellently. I highlight the personal stories that were shared by Willie Rennie and Jeremy Balfour. We heard of a young man being set up to fail, due in part to rotation of staff. That is just not acceptable. It was deeply shocking to hear from Jeremy Balfour that the parents of young people with autism are having to deal with suicidal thoughts because of the state of their education. We also heard of a child who is able to be educated only in isolation and for two days a week. That, if nothing else, is something that we must recognise today and change.

Liam Kerr, Sue Webber and Gillian Mackay all mentioned the disparity in council processes whereby some pupils need formal diagnosis and some can progress without it. That must be addressed. My colleague Liam Kerr highlighted the need for honesty on that issue and said that we need to accept that there is a problem before we can initiate change. That parents and young people are angry was highlighted by many members across the chamber, but particularly by

Willie Rennie, Pam Duncan-Glancy and Martin Whitfield.

The cabinet secretary mentioned that the ASL action plan will be produced soon, and I also note her commitment to produce the updated guidance, with the recommendations from the committee, early next year. I sincerely look forward to reading the plan and the guidance.

As we heard many times, the committee's report describes the situation for families, young people and teachers who are dealing with the new reality as "intolerable". I will spend some time reiterating the main points that are raised in the report because, quite frankly, its findings illustrate that this SNP Government has let them down.

Reading the evidence that was given to the committee's inquiry, I was struck by the anger and frustration that parents and carers have felt when trying to get the best support for their child. That includes the difficulties and delays that parents and carers experience in getting the correct support, including long delays in diagnosis and access to support services such as CAMHS. That position was also shared by several educators and teaching unions. I note that the committee considers that such delays are "unacceptable" and recommends that the Scottish Government works closely with bodies such as NHS Scotland, the Royal College of Speech and Language Therapists, CAMHS and COSLA to identify the causes of such lengthy delays and to ensure that we have a more joined-up approach.

Parents and carers also spoke of not being listened to, particularly when they felt that the presumption of mainstreaming was not meeting the needs of their child. Even though the overwhelming view, in written and oral evidence, was that that presumption is laudable and should be supported, concerns were raised about the implementation of the policy and the barriers that are faced in practice when mainstreaming is in place and is the only option. The committee was extremely concerned by what it heard regarding negative personal experiences of ASL provision and the detrimental impact that the implementation of the presumption of mainstreaming has had on some pupils.

I join others in commending the work that teachers and support staff do in providing support for pupils with additional support needs, but I am also deeply concerned to hear of the pressures that are leaving them feeling overwhelmed and burned out. Given the increase in pupils with ASN and the fact that teacher numbers are reducing, that is hardly surprising. The truth is that the Scottish Government's handling of the implementation of ASN provision is yet another example of a gap between policy ambition and implementation.

I thank the committee again for its full and thorough report and I urge the Scottish Government to take forward the recommendations for the mutual benefit of ASN pupils and teachers alike.

I must correct Bill Kidd's point on the Morgan review. The SNP pledged to implement the Morgan review in this session, but we are now four years on. The review had four recommendations for delivery:

"Values driven leadership",

"An open ... culture of communication, support and challenge—underpinned by trust, respect and positive relationships",

"Resource alignment"

and

"Methodology for delivery of knowledge learning and practice development".

The committee report that is before us highlights the same recommendations. I know that delivery takes time, but time is running out. We are again standing here debating a broken promise from the SNP Government, and it is again Scotland's children who are paying the price.

16:32

Jenny Gilruth: I thank members for contributing to what has been a powerful debate on a subject that is of significant importance to the children and young people of this country. I welcome the committee's scrutiny of, and challenge on, additional support for learning.

As we have heard, a third of our school population have identified additional support needs. Asking for the Government to act with urgency has been a common theme of the debate. We must continue to work together to address the challenges that remain in our system. That is the only way that we can positively improve the experiences and outcomes for those children and young people. I will reflect on that call to act with urgency.

On Roz McCall's point about the Morgan review, I am sure that she will also reflect on the progress that has been made thus far through the additional support for learning action plan.

As I outlined in my opening statement and in my response to the committee, we have been working steadily with our partners during this parliamentary session to address the challenges that Angela Morgan identified. We have under way a number of actions that I have alluded to, but there is no quick fix. I recognise that we will need to do much more as we respond to changing need, particularly post pandemic.

Committee members made a number of really important contributions that I want to touch on. Liam Kerr was absolutely right to point to the stark findings on the needs of ASL pupils not being met. That reflects Willie Rennie's point—which he made when he intervened on me earlier—about the strength of feeling among parents and, often, young people themselves. I think that Roz McCall also spoke about the anger that is felt.

I know that members are probably fed up with my anecdotal stories of when I last taught in schools, but additional support needs are emotive, and I know how frustrating it can be for classroom teachers, too, when that additional support is not in place.

Pam Duncan-Glancy—I know that she has had to leave the chamber—spoke about the power of education and her family's fight on her behalf. Undoubtedly, she is here today because of her family's fight. They should not have had to fight: no parent or carer should have to fight for the rights of their children to access education. That has happened too often, as we have heard from members during the debate.

On co-ordinated support plans, Ms Duncan-Glancy was right to point to the differentiation that we see in uptake. She was also right to point to the code of practice, which is being updated to address that anomaly. She should also know that, for some people who are working in our schools, a statutory CSP is not necessarily the path that is appropriate for that young person. As we heard from Jeremy Balfour, needs evolve over time, and we should be careful not to presume that a statutory CSP is always the right approach for every young person.

Gillian Mackay spoke about the levels of workload that are associated with the challenges that classroom teachers face, particularly post pandemic. That was a key feature of my thinking last week in responding to Professor Louise Hayward's report on qualifications reform. We have to be pragmatic about the bandwidth for reform.

As has rightly been pointed out, the budget is also relevant. Much of my budget, as Ms Mackay alluded to, is not legally committed. However, it is worth my while to point out that the education budget this year stands at a record level, as does spending on additional support needs, at £926 million.

Liam Kerr: I recognise what the cabinet secretary is saying, albeit that the education budget has decreased to a small extent. However, those are the inputs. The committee and people are desperate to see the outputs. Will the cabinet secretary commit here and now to delivering by

2026 what the committee has demanded for the people?

Jenny Gilruth: Mr Kerr wants to talk about inputs and I talked about an input a moment ago. Last year, there was an output of 725 extra pupil support assistants because of additionality from the Government to support additional staff in the system. We can evidence how our inputs are having an impact. I have accepted a range of the committee's recommendations because I recognise the challenge and the need to continue to support that additionality, which is exactly what the Government is doing.

Ms Mackay made some suggestions about where the additionality that Mr Kerr spoke to might come from. Of course, we are not yet in budget negotiations. I am sure that she will have conversations with the Cabinet Secretary for Finance and Local Government to that end.

I was really sorry to hear the story that Mr Rennie recounted. It shows exactly why things need to improve.

Jeremy Balfour: Many of the practical decisions are made not by you but by local authorities. I encourage you to engage with them and to encourage them not to cut back vital services that affect many of the children whom we have been talking about. What discussions will you have with local authorities over the next few months?

The Deputy Presiding Officer: Always speak through the chair.

Jenny Gilruth: I am more than aware that a range of powers rests with local authorities and not with me as Cabinet Secretary for Education and Skills. That is why the ASL project board, about which Mr Balfour's colleague Liam Kerr spoke, is important. COSLA is a key member of that board. It has to be a joint endeavour. I meet COSLA regularly on a range of issues, as members might imagine. It will be key to driving the improvements that we need in our schools and to protecting the budget lines, which is the point that Jeremy Balfour alluded to.

In my evidence to the committee last year, I was frank in my assessment of where things are currently working and where there are challenges. Mr Rennie spoke about the challenge of introducing mandatory training when there are changing needs. There is a challenge for the Scottish Government, because I am sure that members will be aware that we cannot direct course content for individual independent universities—nor would I wish to do so, although the committee might wish to consider some of the changes in the approach to initial teacher education that have been adopted in Wales recently. However, in my opening speech, I

alluded to my intention that the Government will audit the number of hours that are being taught in ITE on ASN provision. It is important that we hold that data.

On the school estate, which was a key feature of my appearance at the committee earlier in the year, big schools are not, as Mr Rennie knows, a new feature of how we deliver education in Fife. The local authority there chooses to build larger schools because of the communities that it serves. Many schools in Mr Rennie's constituency—including the village where I grew up—serve a number of smaller villages, and the local authority has a tendency to build larger school estates as a result.

However, I do not accept the idea that ASN has not been considered in school estate design. Since 2007, because of investment from the Government, the quality of Scotland's school estate has improved from just over 60 per cent being in good or satisfactory condition to the most recent statistics, which were published a matter of weeks ago, showing that more than 91 per cent of our schools in Scotland are now in such condition. That is a dramatic improvement, which I hope Parliament welcomes.

The SFT, as another member mentioned, has set out a 10-point plan on the committee's recommendations, and I will continue to engage with it to that end.

Ruth Maguire spoke about the challenge with legislation in practice. I agree absolutely with what she said about school culture which, in my experience, is often about the relationships in schools. We have regularly debated behaviour in our schools, and I know that the committee considered that issue, which was also mentioned by the convener in her opening comments. Perhaps Ms Maguire is right that an overt focus on legislation sometimes means that we take our eye off what really matters, which is cultural change. She gave the example of emerging good practice in Ayrshire. My officials will be keen to note the progress that has been made there.

Jeremy Balfour spoke about the importance of ASL specialist teachers. He will know that, as I alluded to in my response to Mr Kerr, we have protected funding for additional support for learning, which has meant that the number of pupil support assistants in Scotland's schools has increased by 725 in the past year alone.

I am conscious of the time. I thank the committee again for all its work on a hugely important topic in Scotland's changed education landscape, following the pandemic. The additional support for learning action plan update was going to be published in advance of the committee's inquiry, but I paused its publication so that the

Government could listen to the committee's findings. I hope that the committee will look at the updated action plan when it is published in October and will recognise that some of the things that it has asked the Government to do today are being taken forward directly through that plan.

16:41

Evelyn Tweed (Stirling) (SNP): I am delighted to close the debate on behalf of the Education, Children and Young People Committee. Given that, currently, more than a third of all pupils in our schools have additional support needs, the committee was very keen to undertake the inquiry. It is relatively unusual for the committee to be able to carry out an inquiry on a topic of its choosing. We are usually kept very busy with reactive work, which often involves considering draft legislation, so, when the opportunity arises to do some proactive work, we always take it. When we do, we try to choose a topic that we think will have maximum impact.

Having listened to the cabinet secretary's response to our report, I think that we can safely say that our inquiry has had an impact. It will help to address some of the barriers that pupils with additional support needs face. The voices of those children and young people, their parents and the carers and teachers who are involved in providing ASL were uppermost in committee members' minds throughout the inquiry.

As the convener highlighted, although we agree with the policy intention behind the presumption of mainstreaming, the gap between the policy intention and how the policy has been implemented in practice is "intolerable".

I have listened to the contributions to the debate with great interest, and I was particularly pleased to hear members agreeing with the committee on how important it is that the barriers that are faced by children and young people with additional support needs and by their parents and carers are addressed as a matter of urgency.

The convener mentioned the evidence that we heard on improvements to the existing school estate that would not cost a lot of money but which would greatly improve accessibility for pupils with ASN. Simple examples such as providing high-backed chairs in a particular part of a school where an autistic pupil could go to feel enclosed and private, which would allow them to regulate, were mentioned. Another example was providing a desk with some sensory toys at the back of a classroom. Such small changes can make a huge difference to a pupil with ASN.

We recommended that

"the Scottish Government work with ... local government, and relevant third sector organisations, and pupils

themselves, to develop a suite of guidance to make existing schools as accessible as possible to those with sensory needs.”

Therefore, it is great to hear that the Scottish Government and the Scottish Futures Trust have developed a comprehensive step-by-step plan to address the issues that the committee raised. We will take a keen interest in that.

Our inquiry also considered resources. We were concerned to hear that resources for ASL provision have reduced over time, as has been discussed in the chamber. We recommended that

“a more inclusive and joined-up approach towards resourcing more generally”

be adopted to

“ensure that services for pupils with additional support needs can be met.”

For our final theme, we looked at the use of remedies for parents and carers when things are not working well and at the tribunal service in particular. Under the 2004 act, having a co-ordinated support plan is the only way to access the tribunal service, although there is also a route to access it through the equalities legislation. We were all too aware that the use of the tribunal should be adopted only as a last resort and that, ideally, decisions about additional support for children and young people should be discussed and resolved as early as possible, led by parents—

Martin Whitfield: Will the member take an intervention on that point?

Evelyn Tweed: I will.

Martin Whitfield: To return to my earlier intervention, because of the incorporation of the UNCRC in Scotland, provisions are more readily available to children and, in particular, to their parents that might mean that local authorities and the Scottish Government find themselves in court in relation to situations that should not arise if matters are dealt with properly at earlier stages. Does the member agree?

Evelyn Tweed: I certainly agree with Mr Whitfield, and I thank him for his intervention.

As I said, those decisions should be discussed and resolved as early as possible, led by parents, carers and those who deliver support. However, when things break down, it is imperative that families have access to the tribunal and can source appropriate legal support to assist them, regardless of their financial situation.

In evidence, we heard that the number of pupils with a CSP is extremely small and that the criteria that are set out for qualifying for a CSP are a barrier that prevents pupils and parents and carers from being able to access the tribunal. We argued

that all children and young people should have access to remedies and that access to the tribunal should be open to everyone.

We also asked for further clarity on the use of plans to support pupils with ASN and recommended that the Scottish Government should consider

“the compliance of these plans with GIRFEC and the UNCRC.”

I was pleased to hear the cabinet secretary confirm that the Scottish Government is committed to considering the compliance of the ASL legislation with the UNCRC and that work is ongoing to provide further clarity on the relationship between the CSP and other children’s and young people’s plans within a staged intervention model.

I turn to the contributions that were made in the debate. Liam Kerr highlighted the great need for ASN provision, the high number of pupils whose needs are not met and the need to prioritise the area. Pam Duncan-Glancy spoke from a personal perspective about her journey and said that some people’s opportunities are limited and that there are too many barriers for ASN pupils. Change is needed at pace.

Gillian Mackay noted that there are issues with the co-ordinated support plans that require to be resolved. Willie Rennie highlighted issues with the system that mean that people have to fight for their rights and said that the system should be there to support them.

Ruth Maguire shared some of the lived experience of pupils and parents that we heard about during the committee’s proceedings and the difficulties that people face with navigating the system, highlighting an implementation gap. Stuart McMillan also highlighted the issue of families having to fight for ASL implementation and the huge gap in provision in Inverclyde.

I finish by echoing the convener’s words. We owe it to all children and young people with additional support needs and their parents and carers to ensure that the barriers that they face in our schools are addressed without further delay, and to get it right for every child.

Business Motions

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-14652, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on the timetable for consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill. I invite Jamie Hepburn to move the motion.

Motion moved,

That the Parliament agrees to consider the Climate Change (Emissions Reduction Targets) (Scotland) Bill as follows—

Stage 1 on Thursday 10 October 2024, and subject to the Parliament's agreement to the general principles of the Bill—

(a) that consideration of the Bill at stage 2 be completed by Tuesday 29 October 2024, and

(b) Stage 3 on Thursday 31 October 2024.—[*Jamie Hepburn*]

The Presiding Officer: I call Graham Simpson to speak to and move amendment S6M-14652.1.

16:50

Graham Simpson (Central Scotland) (Con):

Moving an amendment to the business motion is not something that I do lightly, but I do so because I passionately believe in Parliament giving its members ample time to scrutinise legislation. We should all know that rushed legislation can be bad legislation.

First, let me say what the minister's business motion seeks to do. It seeks to set a timetable for dealing with the Climate Change (Emissions Reduction Targets) (Scotland) Bill. In trying to amend the business motion, I am interested only in that timetable; I am not interested in the bill itself, save to say that it is an important piece of legislation.

The minister wants us to have the following timetable. Stage 1 would be on Thursday 10 October. Should the bill pass that hurdle, stage 2 would be completed by Tuesday 29 October. Members will immediately realise that that takes in our two-week October recess. That is an issue that we should seek to avoid, but we can probably live with it.

With stage 2 having been completed by 29 October, the minister then wants stage 3 to be done and dusted on 31 October. That gives members and officials just two days to turn around amendments to a bill in which there is a great deal of interest. Parliament can act at pace, and it has done so on occasion in emergencies, but the only reason why we are being asked to do so on this occasion is to spare the Government's blushes.

That is because, under the law as it stands, which the bill seeks to amend, the Government has to produce a draft climate change plan by the end of November, and it is nowhere near doing that. That is the Government's problem, which, quite frankly, is the Government's fault. Parliament is not here to spare the Government's blushes or to get it out of a hole. We are here to do our jobs properly.

The Net Zero, Energy and Transport Committee has been very careful not to express a view on timetabling, but it has written about

"the importance of there being adequate time between stages 2 and 3 for the implications of any stage 2 amendment agreed in committee being carefully considered."

Martin Whitfield (South Scotland) (Lab): I am grateful to Graham Simpson for taking an intervention. Of course, it is not for the committee to decide on stage 3—that is for the Parliament to do. However, it is right for the Parliament to take into account concern that the committee may have about the need for adequate time to be provided between stage 2, which will take place in committee, and the subsequent stage 3 proceedings in the chamber.

The purpose of Graham Simpson's amendment to the business motion is to provide as much time as is reasonably practicable, given the challenge that the Government finds itself facing. We will support his amendment.

Graham Simpson: I am very pleased to hear that. Mr Whitfield is absolutely right, because in no one's world—not even the minister's, if he is honest about it—is two days enough. My amendment, if it is agreed to, would set the stage 3 date as 7 November. That is a week more than what the minister is proposing, and even that is probably too short.

The minister should see what I am proposing as a sensible compromise. Parliament needs to be able to do its job properly. Scrutiny is an essential part of our work here, but we need to have the time to do it. MSPs have a simple choice between the minister's rushed two-day deadline and my nine-day one. It is quite obvious which is the better, and it is not the minister's.

I move amendment S6M-14652.1, to leave out "31 October" and insert "7 November".

The Presiding Officer: I invite Jamie Hepburn to respond on behalf of the Parliamentary Bureau.

16:54

The Minister for Parliamentary Business (Jamie Hepburn): First, I thank the Presiding Officer for reminding members that I speak on behalf of the Parliamentary Bureau. The business

motion represents the bureau's position, not just mine.

The Climate Change (Scotland) Act 2009, unless or until it is changed, requires the Government to introduce a draft climate change plan by 22 November this year to set out policies and proposals for meeting our emissions reduction targets. The Climate Change Committee has given conclusive advice that the 2030 target of 75 per cent emissions reductions that Parliament set in 2019 on a cross-party basis is out of reach. Therefore, we must adjust our target framework before we can introduce a credible climate change plan. To ensure that we are not in breach of legal obligations, we need to ensure that the bill that is before Parliament is enforced by 22 November to make the necessary changes to the law as it stands.

As Parliament is aware, the Scotland Act 1998 provides a four-week period after any bill is passed by the Scottish Parliament for the United Kingdom, the Scottish law officers and the Secretary of State for Scotland to consider that bill. The Presiding Officer cannot present a bill for royal assent until after that period has concluded. The period of time to obtain royal assent after that period is outwith the Government's control but takes on average about one and a half weeks, which means that there is a period of about five and a half weeks after stage 3 before a bill can receive royal assent.

Although in exceptional circumstances the Government can ask the law officers and the secretary of state to agree to expedite their post-stage 3 considerations and advise the Presiding Officer that they do not intend to take any action to prohibit the Presiding Officer from seeking royal assent, the law officers and the UK Government cannot, of course, be compelled to do so. Therefore, seeking to agree a timetable that does not allow—

Patrick Harvie (Glasgow) (Green): Will the minister take an intervention?

Jamie Hepburn: I think that it is important that Parliament hears this, after which I will give way to Mr Harvie.

Therefore, seeking to agree a timetable that does not allow sufficient time for the statutory post-stage 3 period risks the bill not being enforced on time and bringing the Government into breach of legal requirements. That is the position that Parliament could be determining this evening.

Patrick Harvie: The minister is aware that Opposition parties on the Parliamentary Bureau understand the need for an expedited process—indeed, we have all acknowledged that we will not get the full, in-depth scrutiny that we would from a

normal legislative process. However, given that the Government recognised the need for the bill months ago, why has it come to the point where it is asking for a process of just two days between stages 2 and 3? Does the minister really think that that is an adequate reflection period for members and the Government to understand the consequences of stage 2 amendments in order to frame stage 3 amendments? I do not think that that is enough. A week is about the bare minimum.

Jamie Hepburn: In ordinary circumstances, I would agree with the fundamental points that Patrick Harvie has made. Initially, it was my expectation that we could have worked with the committee so that we did not get into a situation and circumstances in which we would have to seek to engage with the UK Government. The Government will have to do so now, irrespective of the timescale that we agree this evening. We initially wanted a timescale that would not put us in that place and would have enabled Parliament to have sufficient time between stages 1, 2 and 3 to go through the usual process of consideration, albeit on an expedited basis.

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

Jamie Hepburn: I will give way in a minute, because I am about to mention the member.

Having engaged with its convener, I know that that was not the Net Zero, Energy and Transport Committee's perspective, to which I had to listen. We got to a stage where, reluctantly, we were going to present a timescale that would have constrained time for Parliament but allowed us to complete the process by the October recess, which would have enabled us to meet the timeframe necessary for the UK Government to give consideration to these matters. However, it was clear that the committee was not inclined to go there, so we had to present an alternative timetable.

Once I have given way to Mr Mountain, I will go on to say where we are now.

Edward Mountain: I want to reiterate the timescales to Parliament. I do so as an individual, although I am the convener of the committee. In August 2023, we became aware that the Government would not meet the deadlines—in fact, a ministerial statement on 18 April this year told us so.

I met the Government on behalf of the committee in April, May, June, July, August and September, asking for the bill to be produced before 5 September. That was the date on which it was eventually laid in the chamber, which gave the committee precious little time to take evidence.

I would like it on record that the committee worked extremely hard to meet the Government's deadlines, which have been unnecessarily tight, and would have been tight even if it had produced the bill when we originally asked for it in May. We are now at the stage where the committee has to meet during plenary sessions of the Parliament in order to get the bill to the stage 1 debate. It would be right for the minister to acknowledge the committee's work and the fact that this problem is of his making, not the committee's.

Jamie Hepburn: I will not denigrate the committee. I am very grateful for the time that the convener has given me, and I recognise that the committee has tried to accommodate the Government's concerns as much as possible.

Mr Mountain's intervention has just made me realise that I did not respond to one of Mr Harvie's points. The challenge that we faced in producing the bill in the timescale that was laid out is that, first, we had to wait to hear what the Climate Change Committee had to say, and then we were immediately into an election period. I imagine that, if we as the Government had introduced a bill during that election period, we would right now be hearing a cacophony of noise from Opposition members saying, "How dare you introduce a bill during the election period?" That is why we had to wait.

Mr Simpson talked about a compromise position. Frankly, what is before us right now, in the name of the Parliamentary Bureau, and which I am asking Parliament to vote for, is the compromise position. The Government's preference has been to get it done and dusted by the October recess, so that we would not be in danger of contravening what is required under the Scotland Act 1998 and putting the legal position at jeopardy, but it was clear that that was not going to be able to be carried.

I have been willing to compromise, and that is what is on the table right now. I think that we should agree to it and get on with it. Of course, whatever is agreed tonight will require me and the Government to engage with the UK Government to see whether we can secure a shortening of royal assent. However, Parliament should be aware that that cannot be guaranteed. If we agree to an even longer timescale this evening, we are in serious danger of putting that position in great jeopardy.

The Presiding Officer: The question is, that amendment S6M-14652.1, in the name of Graham Simpson, which seeks to amend motion S6M-14652, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on the timetable for consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. There will be a short suspension to allow members to access the digital voting system.

17:02

Meeting suspended.

17:04

On resuming—

The Presiding Officer: We move to the vote on amendment S6M-14652.1, in the name of Graham Simpson. Members should cast their votes now.

The vote is closed.

Patrick Harvie (Glasgow) (Green): On a point of order, Presiding Officer. My device was a little unclear as to whether it had refreshed on time. I would have voted for the amendment.

The Presiding Officer: I can confirm that your vote was recorded, Mr Harvie.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)

Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab) [Proxy vote cast by Richard Leonard]
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)

Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Rona Mackay]
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division on amendment S6M-14652.1, in the name of Graham Simpson, is: For 60, Against 60, Abstentions 0.

The vote is tied. As is usual when the Parliament has not been able to reach a decision, I am obliged to exercise a casting vote. I will not make a decision for the Parliament. The established convention is to vote in favour of the status quo, because the chair is required to act impartially. Therefore, I cast my vote against the amendment.

Amendment disagreed to.

The Presiding Officer: The next question is, that motion S6M-14652, in the name of Jamie Hepburn, on the timetable for consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill, be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Clare Haughey (Rutherglen) (SNP): On a point of order, Presiding Officer. It did not look as though my app had connected, but it has now told me that I did vote yes.

The Presiding Officer: Thank you, Ms Haughey. I can confirm that that is the case and that your vote has been recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Don-Innes, Natalie (Renfrewshire North and West) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (SNP)

Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Harper, Emma (South Scotland) (SNP)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP) [Proxy vote cast by Jamie Hepburn]
 McKee, Ivan (Glasgow Provan) (SNP)
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP) [Proxy vote cast by Jamie Hepburn]
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caitness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Rona Mackay]
 Yousaf, Humza (Glasgow Pollak) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Boyack, Sarah (Lothian) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Findlay, Russell (West Scotland) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)

Grant, Rhoda (Highlands and Islands) (Lab)
 Greene, Jamie (West Scotland) (Con)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harvie, Patrick (Glasgow) (Green)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Mackay, Gillian (Central Scotland) (Green)
 Marra, Michael (North East Scotland) (Lab)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Regan, Ash (Edinburgh Eastern) (Alba)
 Rennie, Willie (North East Fife) (LD)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab) [Proxy vote cast by Richard Leonard]
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 White, Tess (North East Scotland) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-14652, in the name of Jamie Hepburn, is: For 60, Against 61, Abstentions 0.

Motion disagreed to.

The Presiding Officer: As the motion has not been agreed to, we currently have no timetable for the bill. There is a scheduled meeting of the Parliamentary Bureau this evening, and, following discussion, we will revert to the Parliament on this matter.

The next item of business is consideration of business motion S6M-14640, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, setting out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 1 October 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 3 Proceedings: Aggregates Tax and Devolved Taxes Administration (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

followed by Members' Business

Wednesday 2 October 2024

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:
Rural Affairs, Land Reform and Islands;
Health and Social Care

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 3 October 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Social Justice

followed by Economy and Fair Work Committee
Debate: Just Transition Inquiry for
Grangemouth and the North East and
Moray

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 8 October 2024

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 9 October 2024

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:

Constitution, External Affairs and
Culture, and Parliamentary Business;
Justice and Home Affairs

followed by Scottish Green Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 10 October 2024

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:
Education and Skills

followed by Stage 1 Debate: Climate Change
(Emissions Reduction Targets)
(Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 30 September 2024, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Jamie Hepburn*]

Motion agreed to.

Parliamentary Bureau Motions

17:12

The Presiding Officer (Alison Johnstone): The next item of business is consideration of three Parliamentary Bureau motions. I ask Jamie Hepburn, on behalf of the Parliamentary Bureau, to move motions S6M-14641, on approval of a Scottish statutory instrument; S6M-14642, on substitution on committees; and S6M-14643, on committee meeting times.

Motions moved,

That the Parliament agrees that the Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024 [draft] be approved.

That the Parliament agrees that Daniel Johnson be appointed to replace Mercedes Villalba as the Scottish Labour Party substitute on the Rural Affairs and Islands Committee.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Net Zero, Energy and Transport Committee can meet, if necessary, at the same time as a meeting of the Parliament between 12.50 pm and 3.00 pm on Thursday 3 October 2024.—[*Jamie Hepburn*]

The Presiding Officer: The question on the motions will be put at decision time.

Decision Time

17:12

The Presiding Officer (Alison Johnstone): There are two questions to be put as a result of today's business. The first is, that motion S6M-14469, in the name of Sue Webber, on behalf of the Education, Children and Young People Committee, on additional support for learning, be agreed to.

Motion agreed to,

That the Parliament notes the conclusions and recommendations contained in the Education, Children and Young People Committee's 2nd Report, 2024 (Session 6), Additional Support for Learning inquiry (SP Paper 585).

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

As no member has objected, the question is, that motions S6M-14641, on approval of a Scottish statutory instrument; S6M-14642, on substitution on committees; and S6M-14643, on committee meeting times, all in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, be agreed to.

Motions agreed to,

That the Parliament agrees that the Environmental Protection (Single-use Vapes) (Scotland) Regulations 2024 [draft] be approved.

That the Parliament agrees that Daniel Johnson be appointed to replace Mercedes Villalba as the Scottish Labour Party substitute on the Rural Affairs and Islands Committee.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Net Zero, Energy and Transport Committee can meet, if necessary, at the same time as a meeting of the Parliament between 12.50 pm and 3.00 pm on Thursday 3 October 2024.

The Presiding Officer: That concludes decision time.

Wholesale Sector

The Deputy Presiding Officer (Annabelle Ewing): The final item of business is a members' business debate on motion S6M-13436, in the name of Gordon MacDonald, on the importance of the Scottish wholesale sector. The debate will be concluded without any question being put.

Motion debated,

That the Parliament recognises what it considers to be the vital importance of the Scottish wholesale sector; understands that it contributes over £4.3 billion in gross value added (GVA) to the Scottish economy, providing over 35,000 businesses and consumers, including in the Edinburgh Pentlands constituency, with an extensive product range consisting of tens of thousands, with potentially the largest wholesale choice and selection of food and drink of any European country, and supporting over 6,000 local jobs, and welcomes the support from 30 wholesale local food champions that have supported 130 local producers, resulting, it understands, in 30% of wholesalers' turnover coming from Scottish products.

17:15

Gordon MacDonald (Edinburgh Pentlands) (SNP): I thank members on all sides of the chamber who supported my motion in order that it could be debated tonight. I refer members to my entry in the register of members' interests, as I am the convener of the cross-party group on independent convenience stores, of which the Scottish Wholesale Association has been a member since the CPG was formed. I also thank, from the Scottish Wholesale Association, Colin Smith, who is in the public gallery tonight, and Jayne Swanson for their knowledge and guidance on the vital role that the wholesale sector plays across Scotland.

The Scottish Wholesale Association is a not-for-profit membership organisation based in Edinburgh. It was established in 1920 and is the official trade body that represents food and drink wholesalers and distributors. Wholesale members of the association are located the length and breadth of Scotland, and they include single-depot, family-owned businesses as well as national wholesale groups. Members supply products to Scotland's 5,000 independent convenience stores and its 30,000 catering, hospitality, tourism and leisure businesses, as well as to all other public sector establishments.

The Scottish wholesale sector is a vital part of the Scottish economy: it is worth about £3.3 billion in the wholesale marketplace and directly employs more than 6,000 people. Wholesalers across all parts of Scotland support more than 49,000 local jobs in the independent convenience store sector. Those local jobs help local people into work, from a first job for a young person to a job for an older person who is returning to work.

The economy benefits from people shopping local and buying local produce, because producers and retailers not only provide jobs in their businesses but support employment across the town or city in which they are located, through the use of local tradesmen, produce suppliers, shop fitters and garages, as well as local legal and accountancy firms.

The link between wholesalers and local convenience stores is not always clear, but members will recognise the trading names, which include Mace, Spar, Londis, Costcutter, Premier Store and Nisa, to name but a few. Those symbol groups and cash-and-carry operations support family-owned stores to compete with the large multinational supermarkets in many of our towns, villages and neighbourhood centres.

However, wholesalers face not only competition from supermarkets but other challenges such as the restructuring of the grocery market, with the market being impacted by Amazon moving into selling groceries, wholesaler bypass, changing customer demands, Brexit and regulation. That is all happening at the same time as the wholesale sector is facing low margins, recruitment issues and rising food costs. The result is a lack of private investment, due to low investor confidence in the sector, at a time when there should be investment in operational efficiency and supply chain management.

I recently visited Mark Murphy Ltd, which is part of Dole foodservice, at its warehouse in Bankhead Way in my constituency. It is Scotland's largest fresh produce supplier to the hospitality sector and is among my constituency's biggest employers, with approximately 270 members of staff.

I met general manager Brian Breslin, who outlined to me not only the positive contribution that the company makes to fresh produce supply across Scotland, as the United Kingdom's foodservice supplier of the year for 2023, but the challenges that the business faces, predominantly in the recruitment and retention of staff. Despite offering rates above the minimum wage, as well as fixed shifts and permanent contracts, it continues to struggle to fill positions, given the employment situation in Edinburgh.

That was reflected in the results of the Scottish Wholesale Association's recent wholesale market survey, which indicated that recruitment and skill shortages remain a problem. However, the industry is trying to address that by taking steps to improve working conditions, including by introducing the real living wage and a four-day week. The sector has received and continues to receive, both during and after the pandemic, financial support from the Scottish Government totalling approximately £20 million, as the Scottish Government recognises the vital role that the

sector plays for our food and drink suppliers and for us as consumers.

In 2021, the Scottish Wholesale Association launched its delivering growth through wholesale training initiative, with the aim of educating and engaging with producers to highlight the opportunities that the wholesale sector provides. The training programmes were designed by the SWA in conjunction with the Scottish Agricultural Organisation Society and Scotland Food & Drink. Supported by the Scottish Government, the initiative equips local Scottish producers with the insight and strategies that are needed to successfully navigate the Scottish wholesale landscape. The result to date is that almost 150 Scottish producers have gone through the course, with 230 new Scottish product listings via 59 wholesale partnerships.

Furthermore, the Scottish Wholesale Association has launched two additional initiatives, with support from the Scottish Government as part of its wider “Local Food for Everyone: Our Journey” strategy. The first initiative is a wholesale local food champion training programme, which was introduced in 2023. The local food champion programme is an extension of the SWA’s delivering growth through wholesale producer initiative. The programme provides training to those who work in wholesale businesses to equip them with the knowledge that they need to take responsibility for shaping their company’s local sourcing strategy. By becoming a champion, of which there will be 40 by November this year, they are taking an active role in creating a strong and sustainable local food and drink supply chain.

The second initiative is the Scottish wholesale local food and drink growth fund, which is worth £195,000, thanks again to Scottish Government funding. That is the third phase of the delivering growth through wholesale local sourcing programme that I mentioned earlier. Again, through working with partners, the initiative has been set up to support wholesalers who work closely with local Scottish producers, manufacturers, local authorities and other stakeholders to increase the volume and customer base of Scottish produce that is sold through the wholesale channel.

In closing, I highlight some of the findings of the Scottish Wholesale Association’s recent market survey. There has been positive growth in the sector in 2023 in comparison with 2022, with an average of a 5 per cent increase in turnover. Wholesale service is up by 9 per cent in comparison with 6 per cent in the rest of the UK, and there has been a very positive 30 per cent increase in turnover from Scottish products, thanks to initiatives that are funded by the Scottish

Government and delivered by the Scottish Wholesale Association.

I put on record my thanks to the Scottish Wholesale Association for its collaborative approach in working with the Government and industry to ensure that the sector is nurtured and supported for all stakeholders.

17:23

David Torrance (Kirkcaldy) (SNP): I thank Gordon MacDonald for bringing the debate to the chamber in recognition of the importance of the Scottish wholesale sector. As I am no stranger to the joys of food and drink, it is a privilege to celebrate the good work of the wholesale sector in Scotland and the vital role that it plays in our food and drink supply chain.

The role of the wholesale sector in our day-to-day lives might go largely unnoticed by most, but the very quiet efficiency with which it runs is cause for recognition. The Scottish Wholesale Association describes wholesalers as

“the wheels of Scotland’s food and drink industry”,

providing vital connections between suppliers and end users such as retailers, hotels, restaurants, schools and other public sector organisations. The industry supports a wide range of jobs, from roles in delivery, production and manufacturing right up to those in procurement, administration and management. Scotland’s wholesale marketplace is now worth up to £3.3 billion, and it directly employs 6,500 people.

Most members in the chamber will have benefited from today’s wholesale industry, whether it be from picking up a pint of milk from a local corner shop when they were in a hurry, or having a quick lunch in a work canteen or a special dinner when eating out at a pub. It is inevitable that our lives are quietly but consistently touched by wholesaling.

I can name many wholesalers in my Kirkcaldy constituency that provide employment that drives the local and national economies. Chief among them has to be Fife Creamery, which, like 90 per cent of Scottish-owned wholesalers, is a small to medium-sized enterprise with strong connections with its local community. Founded in 1957 by former dairyman John Simpson, the company offers a selection of chilled dairy products. It is now a modern, thriving wholesale business that employs 160 people and claims an impressive turnover.

Such success creates a ripple effect through the food sector. In 2019, I was honoured to attend the opening of a training centre on Fife Creamery’s site, where I was joined by the then Minister for Rural Affairs, Mairi Gougeon. The space is a multi-

use hub that is dedicated to connecting food producers with end-user buyers in a variety of ways. The wholesaler is leading the way in building up its business, supporting other businesses to grow and acting as a central hub for food service businesses throughout my constituency. One of the most impressive results of the new centre is a food innovation hub run by the creamery. It aims to identify new innovative products and support producers who might otherwise struggle to get their products to customers. As a case in point, it recently facilitated the launch of an ice cream for dogs, the idea for which came off the back of a recent discussion session. As the owner of Holyrood's dog of the year for 2023, I can say that Buster and I are both intrigued and delighted by that.

In all seriousness, Scottish wholesalers are the backbone of our food and drink industry. They act as the nation's larder, ensuring the security of food provision across the length and breadth of Scotland. The Scottish Wholesale Association recently commissioned a survey of its members, the results of which showed various stress points across the industry. Notable concerns included economic strain due to Brexit and other wider geopolitical disruptions, as well as the availability and cost of products and packaging from suppliers. All that is against the backdrop of inflation and a reported increase in regulatory and domestic policy pressures. Added to that are the increasing energy costs that have caused economic havoc across all sectors. The survey therefore pointed to clear issues of concern for wholesalers.

It is important that the sector is celebrated and listened to. I again thank Gordon MacDonald for highlighting the issue. Whether it be through our local shops, food services, businesses or pubs, we all rely on the success of wholesaling. I take this moment to express my appreciation for the Scottish wholesaling sector and to highlight the success of wholesalers in my constituency. We would all be worse off if the sector were not as strong as it is, and we would do well to support its continued success. The Scottish Wholesale Association's outlining of its members' concerns represents a welcome first step towards considering how we can support wholesalers across Scotland so that our strong and vibrant food and drink network can continue to flourish.

17:28

Brian Whittle (South Scotland) (Con): I, too, congratulate Gordon MacDonald on securing parliamentary time so that we can recognise the importance of the Scottish wholesale sector. It is so often the forgotten link in the chain when it

comes to the food and drink that ends up on our tables.

During the Covid pandemic, the industry came to my notice when Braehead Foods, a wholesaler in my region, came to me for help. Its then managing director explained to me that it ordered in advance sometimes as much as £100,000-worth of stock. Along came the lockdown, with little notice, which meant that much of that product could not be delivered to retailers. However, it did not go to waste. The wholesaler donated the food to charities, which was great, but it was still hundreds of thousands of pounds out of pocket. Unfortunately, it was part of a sector that was not initially covered by the furlough scheme.

As Gordon MacDonald indicated, some 35,000 businesses rely on wholesale suppliers. Without wholesalers, the supply chain would collapse. They are the unseen and perhaps unheralded link between producers and retailers. I urgently brought the issue to the attention of the Cabinet Secretary for Finance, who, to her credit, immediately recognised the gap and the key role that wholesalers play in the supply chain. She allocated £20 million to the sector to ensure that it was robust throughout the Covid pandemic and beyond.

Without the wholesale sector, producers would not be able to get their produce to market and retailers would be without suppliers. I have had the pleasure of visiting Braehead Foods many times to see the crucial role that it plays in the food and drink supply chain. I give it a big shout-out, because it supplies not only retailers across the country but Premiership football clubs here in Scotland and also clubs south of the border such as Tottenham and Chelsea.

Our world-class producers do their thing, and our retailers present those world-class products to the public. The glue in the middle is our wholesalers, who ensure that there are buyers for our producers and suppliers to those retailers. They form an essential sector that is so often forgotten. I again thank Gordon MacDonald for bringing the debate to the chamber to highlight the huge success of our wholesale sector in keeping the supply chain moving.

17:30

Foyso Choudhury (Lothian) (Lab): I congratulate Gordon MacDonald on bringing the debate to the chamber. It is great to have the opportunity to pay tribute to an industry that employs so many and contributes so much to the Scottish economy.

The wholesale sector has shown much resilience in recent years, in responding to the challenges from the pandemic that have affected

supply chains and, more recently, in navigating inflationary pressures. If we are to kick-start the growth of Scotland's economy and promote the food and drink sector globally, the wholesale industry has a vital role to play.

The motion mentions £4.3 billion in gross value added, to which Edinburgh and Lothian contribute considerably. Edinburgh has up to 30,000 jobs in wholesale and retail, with wholesalers in meat, fish, bathroom products, beer, wine and shortbread, selling all those things to other local businesses. The wholesale sector has a large role to play in the promotion of local food and produce. I welcome the work of the Scottish Wholesale Association—I know that Gordon Macdonald has met its representatives recently—to boost local food producers, in particular through its local food and drink growth fund. That fund aims to increase the turnover of Scottish produce that is sold through Scottish wholesalers to 35 per cent, by supporting wholesalers in working closely with Scottish producers and manufacturers.

I also note the SWA's delivering growth through wholesale scheme, which works to improve the understanding of the opportunities that the wholesale sector brings. Through wholesale, local food producers have the opportunity to bring their products to a wider audience, increasing their sales and providing more opportunities for growth.

It is positive that 30 per cent of Scottish wholesalers' turnover is currently coming from Scottish products, as that money is being reinvested in the Scottish economy. I hope that that number will grow, but more needs to be done. There is great potential in the food and drink sector to drive economic growth and tourism. As part of brand Scotland, we should be doing all that we can to use our food and drink sector to promote Scotland as a global destination for premium products. Scotland leads the UK in food and drink product exports with salmon and whisky, and other Scottish products can be brought to the same level. The wholesale sector can play a role in that through selling local products, either at home or internationally. We need to ensure that we recognise the current value of the wholesale sector to the economy while, equally, recognising the sector's great potential in promoting local food and drink.

17:34

Liam McArthur (Orkney Islands) (LD): I add my thanks to Gordon MacDonald; I think that we all recognise the hard work that he puts into advocating on behalf of the wholesale sector and the retail sector, both in the chamber and beyond. I, too, welcome the opportunity to offer recognition—richly deserved, I think—of the importance of the Scottish wholesale sector and

the central role that it plays in the Scottish economy.

It is also important, however, that, in recognising that economic contribution, both local and national, we acknowledge some of the challenges, to which colleagues have referred, that the sector has faced and continues to face, especially in the wake of the Covid-19 pandemic. Indeed, the pandemic, as it has done in many other respects, brought home to MSPs—certainly to me and, I suspect, to many others—how integral wholesalers are in the communities that we represent. Gordon MacDonald referred to the multiplier effect that wholesalers have, and other members described how wholesalers sit almost at the centre of a web.

Brian Whittle talked about the representations that he made throughout the Covid pandemic and his experience of engaging with local wholesalers, probably for the first time. I would probably take exception to him claiming the entire credit for the fact that £20 million was delivered to the sector, but I recognise his point about the pandemic bringing home to many of us what wholesalers do.

In my Orkney constituency, I was indebted to people such as James Leonard at the Stromness-based wholesalers James Wilson for the insights that he was able to provide about what was and was not working in getting vital goods to where they needed to be in the network of local shops, which came into their own during the pandemic. He was also able to explain the role that James Wilson played in ensuring that local schools, care homes and staff and patients at Balfour hospital had the food and other goods that they needed during that difficult period.

This weekend, the Scottish Parliament will mark its 25th anniversary in the presence of local heroes from around the country. I would argue that many in our wholesale sector fall firmly into that category.

As so many others do, wholesalers have to adapt to island circumstances. In Orkney, for example, wholesalers regularly and routinely hold twice the stock levels of their mainland counterparts. We are invariably at the end of supply chains. Given the transport and logistical challenges that we face and the risks that are posed to local residents and businesses in the event of ferry disruption, for example, island wholesalers have had to adapt and build in more headroom. In turn, that involves more costs and risk. It is therefore no surprise that wholesalers such as James Wilson and JW Gray find themselves operating on tighter profit margins than their counterparts on the Scottish mainland.

Increased procurement costs, third-party haulage charges and fuel surcharges all add to the

pressure on island wholesalers, which seek to insulate customers and ensure that, as far as possible, stable and fair pricing levels have an impact on those margins. In that regard, I urge the minister to pay particular attention to the island-specific challenges for procurement and operation costs. I certainly argue that those challenges should be reflected in the provision of financial resources and support. When we add to all that the difficulties with staff recruitment and retention that are linked to traditionally low levels of unemployment in places such as Orkney, it is clear that island wholesalers need to be considered slightly differently by the Scottish Government and at the UK level.

That said, and perhaps to finish on a more upbeat note, I welcome some of the reports of stronger growth in recent times and the fact that the sector appears to be performing slightly better than its counterparts elsewhere in the UK.

On the sector's efforts to reduce emissions and achieve our net zero ambitions, I was encouraged to hear about the UK-wide wholesale road map to net zero by 2040. The SWA has identified that the leading source of emissions in the Scottish sector relates to the use of heavy goods vehicles and electricity and fuel to heat buildings. At the local level, the wholesale sector in Orkney has committed to decarbonising heating systems and reducing energy costs through microgeneration, although those efforts have not been helped by capacity constraints on the local grid, reducing the efficiency of solar power-based energy systems and the associated savings on energy costs of as much as 75 per cent. Again, the Scottish Government might be able to assist in that regard.

I thank Gordon MacDonald for allowing this debate to take place and again put on the record my thanks to those in the wholesale sector for the vital work that they do in my community and in communities around the country.

17:38

The Minister for Agriculture and Connectivity (Jim Fairlie): I thank Gordon MacDonald for securing the debate and for all the work that he does with the grocery sector. He works incredibly hard. I also thank colleagues across the chamber for their valuable and positive contributions.

I say this with all sincerity: it is a good debate to have, because the wholesale sector is a good-news story. However, as Brian Whittle said, it is very much a sector that flies under the radar. It is an unsung, unrecognised hero of our fabulous food and drink sector, so it is absolutely right that the Parliament comes together to acknowledge the significant role that wholesalers play in our

national food and drink supply chain and in food resilience.

I will also add my own personal bit. There is a company called Fáilte Foods. During my days doing festival catering, we could be working enormously long days—for 12, 14 or 16 hours a day—and we could phone Fáilte up at any time, change the order and Fáilte would deliver it at 2 or 3 o'clock in the morning. That epitomises the level of customer service across the wholesale sector, so I wanted to put that on the record. It is a fantastic sector.

If members will pardon the pun, when it comes to linking up the food and drink sector, our wholesalers are the oil in the wheels, ensuring that in all corners of the country, from the Borders to the Highlands and the Islands, the sector is kept moving and is interlinked. This vital service is very much needed. Liam McArthur made the point about having a rural and islands lens, and, as he said, there are very different challenges on the islands that we must be cognisant of.

I hope that the industry understands that the Scottish Government holds the sector in extremely high regard. That is why we have developed a strong collaborative partnership with the Scottish Wholesale Association. I am delighted to see Colin Smith sitting in the public gallery tonight. It is a partnership that has seen the delivery of a number of programmes over recent years, most notably to support the sector when it was most severely impacted by the closure of the wholesale marketplace during the pandemic, as a number of colleagues have mentioned. Working hand in glove with the Scottish Wholesale Association, we were able to provide support to affected businesses the length and breadth of Scotland through the Scottish wholesale food and drink resilience fund. That critical intervention, which was introduced by my colleague Fergus Ewing, was a vital lifeline to many businesses, and it certainly helped to maintain resilience in a time of great uncertainty. There was a £10.2 million intervention over two lockdowns, and we were the only country in the UK to give that sector such funding. That is another vital point to put on the record.

The collaboration continues to this day, and it is helping us to distribute and grow Scotland's plentiful food and drink resources, from local farmers and producers to some of Scotland's largest manufacturers. As my colleague Gordon MacDonald said, we continue our commitment to the wholesale sector through on-going funding for the third year of the Scottish Wholesale Association's delivering growth through wholesale programme. Gordon MacDonald has already outlined what that does. Phase 2 of the programme saw the successful delivery of the

wholesale local food programme. Those champions are collectively taking responsibility for shaping the local sourcing strategy in their businesses and are helping to increase wholesaler purchasing of local produce. Clearly, everyone who knows me knows that that is an aim that is very close to my heart.

Alongside the dedicated one-to-one training seminars, the programme also linked champions with regional food groups and meet-the-buyer events. Those initiatives are critical to the success of other Scottish Government investments in the local food supply chain, including the Scottish Grocers Federation's go local programme and the food and drink industry strategy, "Sustaining Scotland. Supplying the World".

With my connectivity hat on, I will quickly mention the role that the wholesale sector has played in the transition to net zero, which Liam McArthur also touched on. Through the Scottish Wholesale Association, the sector has developed decarbonisation reports, baselined its members' emissions and created route maps to net zero. It has used that deep knowledge to shape Scotland's heavy goods vehicle decarbonisation pathway, which launched in March. It is also working collaboratively with other sectors of the food and drink supply chain to share best practice and knowledge.

I put on record my thanks to all the wholesalers across the country for their work and for their commitment to the Scottish food and drink sector and to all the businesses that are playing a huge and often undervalued part in ensuring that we have a food and drink industry that we can be proud of—and it is right that we should be proud of it.

I look forward to continuing to work closely with wholesalers to create a strong, sustainable local food and drink supply chain for years to come. After all, it is an industry that combines commitment, enthusiasm and professionalism with delivery, innovation and success, with food and drink products that are renowned the world over.

The Deputy Presiding Officer: That concludes the debate.

Meeting closed at 17:44.

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Official Report
Room T2.20
Scottish Parliament
Edinburgh
EH99 1SP

Email: official.report@parliament.scot
Telephone: 0131 348 5447
Fax: 0131 348 5423

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