



Scottish Parliament

British Sign Language (Scotland) Bill Update

The Education and Culture Committee Call for Evidence

We submitted our written evidence to the Committee. To read SCoD's evidence, go to <http://www.scod.org.uk/bsl-scotland-bill/> and click on the "Call for Evidence" tab.

We are working in a BSL version of our evidence and it will be available soon.

Community Empowerment (Scotland) Bill

Changes are needed to ensure legislation designed to empower communities delivers on its promise. This is the finding of the [Local Government and Regeneration Committee](#) as it reported on Monday 26th January on the [Community Empowerment \(Scotland\) Bill](#).

Whilst fully supporting the general principles of the Bill, the Committee noted for communities to be truly empowered there needs to be a change in the mind set of public authorities. They have to be more open to communities setting the agenda and this must be coupled with support to communities to help them access these new powers.

The Bill aims to provide local communities with the power to participate in local decision making via participation requests. It also sets out powers for communities to take ownership or management of lands from public authorities into community control. Other measures include reform of allotment provision as well as changes to the rules governing Community Planning Partnerships (CPPs).

- See more at:

<http://www.scottish.parliament.uk/newsandmediacentre/86063.aspx#sthash.FtcEyJPN.dpuf>

Child and Adolescent Mental Health Services (North East Scotland)

S4O-03894 Alison McInnes (North East Scotland) (LD):

To ask the Scottish Government what its position is on the availability of child and adolescent mental health services in North East Scotland.

The Minister for Sport, Health Improvement and Mental Health (Jamie Hepburn):

National health service boards have done significant work in service redesign to increase their capacity to meet the CAMHS target on a sustainable basis. As a result, NHS Grampian has identified where it needs to increase capacity and we support the board in the work that it has done, on the back of a process that gives sustainable performance.

In-patient facilities covering the north of Scotland, which includes NHS Grampian, are provided by Dudhope house in Dundee, in which an additional six beds will become available in May 2015. The additional six beds will increase the bed base serving the north of Scotland and improve the quality of the estate.

Alison McInnes:

As the minister says, there is no CAMHS in-patient facility in the NHS Grampian area. Instead, a young patient from, say, my home town of Ellon would be placed more than 100 miles away from home in Raigmore hospital in Inverness, which currently has the sole CAMHS bed in the north. Even Dudhope house, which the minister mentioned, is more than 82 miles away. How are families to support their children at such distances?

One general practitioner who responded to a recent Scottish Association for Mental Health survey said:

“For mental health it needs to be local, local, local and, as much as possible, face to face”.

The Deputy Presiding Officer:

I need you to hurry along, please.

Alison McInnes:

Does the minister agree, and how does he intend to improve my younger constituents' access to local, responsive and age-appropriate services?

Jamie Hepburn:

There is always an important balance to be struck and I recognise that we should seek to provide services as locally as possible where we can. CAMHS are specialist services and sadly we cannot provide them at every location, which is why they are located in specialist centres.

There is always the possibility that beds can be made available at other locations, in certain circumstances where that might be appropriate. That can be taken forward.

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9718#.VNIW22isX4I>

Living Wage

The Deputy Presiding Officer (Elaine Smith):

The next item of business is a members' business debate on motion **S4M-11325**, in the name of John Mason, on equal pay. The debate will be concluded without any question being put.

That the Parliament notes the recent report from the Resolution Foundation, which suggests that a record five million people in the UK are stuck in low-paid jobs, including in Glasgow Shettleston; believes that the statutory UK national minimum wage of £6.50 per hour is too low to counterbalance the ever increasing cost of living; understands that the living wage of £7.65 is only a voluntary scheme and is not statutory, therefore does not ensure equal pay protection to all workers in the public, private or voluntary sectors, and notes the belief that the only way to ensure that genuine pay equality is achieved would be to make the living wage a statutory scheme for all employers.

John Mason (Glasgow Shettleston) (SNP):

I thank the members who signed the motion and thereby allowed the debate to go ahead. They include Neil Findlay, John Finnie—who is not well—and Jean Urquhart.

I should start by noting that the figures in the motion are now slightly out of date. The statutory minimum wage is still £6.50 per hour but, as of 3 November, the living wage has increased to £7.85, whereas it was £7.65 in October, when I wrote the motion.

I will make three main points, the first of which is that the voluntary living wage is good. I first became familiar with the concept of the living wage while I was in London, where there was an active campaign to expand its adoption. There, the gap between the living wage and the statutory minimum wage is even wider, as the living wage in London is currently £9.15.

The Living Wage Foundation tells us that more than 1,000 employers throughout the United Kingdom have signed up to the living wage, 70 of which are in Scotland, and I am sure that there are

other employers, including me, who pay the living wage but have not formally signed up to the campaign.

The foundation also tells us that 5.28 million workers in the United Kingdom are being paid less than the living wage, some 400,000 of whom are in Scotland. Of those, 150,000 are on the minimum wage. Many of those employees are in the retail, catering and care sectors.

To read the rest of the debate, go to

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9721#.VNITU2isX4I>

Tackling Inequalities

Debate on Motion S4M-12095 in the name of Alex Neil:

That the Parliament agrees that a strong, sustainable economy is essential to building a fair and wealthy society; further agrees that a society that is fair and equitable underpins a strong economy; believes that an essential element of this is that work should be a route out of poverty; deplores the fact that half of children in poverty are growing up in a household where at least one person is in employment; further believes that this is a clear sign that the economic and social policies of the UK Government are failing Scotland; notes the commitment of the Scottish Government to build a fairer Scotland and tackle inequality; welcomes the positive steps that the Scottish Government has taken toward this by paying the living wage as part of its pay policy and, by supporting living wage accreditation, encouraging more organisations to do the same; further welcomes the development of the Fair Work Convention to promote and sustain a fair employment framework, and is concerned that these efforts are at risk of being undermined by the £6 billion of welfare cuts being made by the UK Government.

The Cabinet Secretary for Fair Work, Skills and Training (Roseanna Cunningham):

As members will know, over the past six years we have seen many changes in Scotland's labour market. There has been a marked increase in part-time work and an increase in self-employment, and many employers have taken the opportunity to introduce new ways of contracting with employees—hence the rise in zero-hours and fixed-term contracts. At the same time, and probably as a direct consequence of those changes, underemployment is widespread and real wages have fallen.

The new ways of working are gradually eroding employment protections that have been built up over many decades. As bad as it is when any business goes under, it is even worse when many people who depend on that business for their livelihoods find that they have no recourse to any of the legal protections that might once have been available.

Real wages have fallen, as I said. There is now a substantial and measurable problem of in-work poverty, which is getting worse. The Joseph Rowntree Foundation has just published a report on the subject; this morning, the Scottish Government published evidence on the extent of in-work poverty in Scotland.

The people who are most likely to receive low pay are women, young people, older workers, people without qualifications, some ethnic minorities, lone parents and disabled people. Women are more likely to work in low-paying sectors and are more likely to be in part-time employment, which has a substantial overlap with low pay.

That means that even though employment levels have grown significantly since 2008, job quality—measured in terms of remuneration, job security, fair contractual terms and opportunities for progression and engagement—is poor for a growing proportion of people in employment. There is an increased sense of disconnection between business success and the accrual to employees of a share of the benefits of success.

This Government is absolutely of the view that such changes are bad for the economy. Inequality is holding back the life chances of the lowest earners in Scotland's population and acts as a significant brake on productivity and growth.

The latest evidence from the Organisation for Economic Co-operation and Development suggests that income inequality has a significant negative impact on growth. Policies to reduce income inequalities should be pursued, not only to improve social outcomes but to sustain long-term growth. We published a revised child poverty strategy in March, which included outcomes that focus on the three Ps: pockets, prospects and places. We aim to maximise household incomes, improve children's life chances and provide sustainable places. The strategy includes actions across a variety of areas.

The approach in the strategy is reflected in the commitments that the First Minister made in the programme for government. The programme sets out a range of cross-portfolio policies that are aimed at reducing inequality, including action around fair work, which is part of the focus of this debate, such as our commitment to pay the living wage and the increased funding to the Poverty Alliance to grow the number of accredited living wage employers.

The programme also sets out a focus on school attainment and university access for people from disadvantaged backgrounds, which is being taken forward by my colleague the Cabinet Secretary for Education and Lifelong Learning. There are also commitments to support increased childcare and free school meals, which have been the subject of recent discussion. The policies are designed to help to reduce intergenerational poverty and tackle inequality.

To read the full debate, go to

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9735#.VNIXumisX4I>

Partnership Action for Continuing Employment

The Presiding Officer (Tricia Marwick):

The next item of business is a debate on **S4M-12154**, in the name of **Fergus Ewing**, on partnership action for continuing employment (PACE)—supporting individuals out of redundancy into employment.

That the Parliament recognises that the Scottish Government's initiative for responding to redundancy situations, Partnership Action for Continuing Employment (PACE), with teams around Scotland, brings 21 organisations together with the Scottish Government; considers that it has performed well in its core function of helping those made redundant gain other employment or opportunities; notes that the most recent figures show that nearly three quarters of those who received PACE support went into employment, and urges the Scottish Government to continue to work with industry, workforce representatives and the third sector to provide the best possible and practicable assistance to those who have been made redundant and to spread awareness and knowledge of what PACE is and does.

The Minister for Business, Energy and Tourism (Fergus Ewing):

To be made compulsorily redundant is one of the most unpleasant experiences that one can have in life. It can be grim, bruising and a cause of stress and anxiety. It often has an immediate impact on the ability to make ends meet. For the vast majority of people, losing one's income causes real financial problems; it can also damage one's sense of self-respect and self-esteem. Therefore, it is essential that our Government response to redundancy is as effective as possible.

The Scottish Government's initiative for responding to redundancy situations, partnership action for continuing employment—or, as it is better known, PACE—is one of our most effective interventions. I want to state the evidence to support that claim.

Research published in June last year indicated that of those surveyed who had received PACE support, almost three quarters—72 per cent—had obtained employment. That compares to the figure of 51 per cent in the 2010 survey.

Our research also shows that users are highly satisfied with the package of support that the PACE service is delivering.

We work closely with our partners such as local government and the business gateway. I am working with Councillor Steven Hagan—I spoke to him yesterday—and Hugh Lightbody on the issue. They have both provided positive feedback from across the country about PACE and the staff involved.

From April 2013 until March 2014, PACE supported almost 12,000 individuals. Many members across the chamber have contacted me over the past four years or so about PACE support for their constituents. One purpose of the debate is to hear the thoughts of members from all parties on how we can build on PACE's success and make it even more successful.

The economic climate is relevant. Employment levels are at an all-time high and Scotland is the best-performing United Kingdom nation across all headline labour market indicators. That will help some of those who lose their jobs through redundancy to enter alternative employment.

Of course, we also want to minimise the number of people who face redundancy. Our programme for Government sets out our commitment to boosting the economy, building a fair society and tackling inequality. Our business support policies focus on ensuring that businesses can grow and thrive and on working to help companies to avoid situations in which there is a risk of redundancies.

Through their account management systems, our enterprise agencies, who are PACE partners, provide a range of early preventative measures to negate potential closure and alleviate difficulties. Measures are tailored to the network and involve banks, which help to raise finance, business organisations, professional bodies and relevant public sector representatives, including United Kingdom institutions such as Her Majesty's Revenue and Customs and the enterprise agencies. Work in the early prevention field, which operates on a confidential referral basis, almost always goes on behind the scenes—and rightly so.

When the issue is tax payments, we work effectively with HMRC, which is a PACE partner. HMRC might offer time to pay, which is a temporary option for viable businesses that are experiencing short-term difficulties in paying tax in full and on time.

The challenge is to encourage a business to engage early to address potential difficulties before they become insurmountable. The Labour amendment sets out the need for such a function, and I assure Labour and other members that preventative work is done—it is done well, it is done thoroughly and it is a priority. We carry out a great deal of work—I work with partners in local government, in particular, and the enterprise network, to that end.

To read the debate on PACE, go to

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9747#.VNJNZWisX4I>



www.parliament.uk UK Parliament

Voting Rights: Young People

HL3783 (Q): Lord Scriven

To ask Her Majesty's Government what examination they are giving to granting 16 and 17 year-olds votes in United Kingdom elections in the event of the Scottish Government reducing the voting age in Scotland to 16.

Lord Wallace of Saltaire (LD):

There is no consensus within Government on the question of lowering the voting age for Westminster elections and therefore no plans to do so in this Parliament. However the Government welcomes the ongoing discussions and debates on this issue.

<http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/150107w0001.htm#15010762000078>

Access to Work Programme**HL3913 (Q) Baroness Thomas of Winchester**

To ask Her Majesty's Government when they expect to publish (1) their current guidance on the Access to Work scheme, and (2) the forthcoming revision of that guidance.

The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud) (Con):

The staff guidance on the Access to Work scheme is published on gov.uk.

It can be found at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387398/access-to-work-guide.pdf

The Minister for Disabled People set out in a written statement on the 18th December 2014 that we will work with stakeholders to develop further, user-friendly guidance, with the aim of beginning to publish this by the end of March 2015.

<http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/150112w0001.htm#15011219000119>

Early Day Motion 700 Disabled Access Day**Primary sponsor: Greg Mulholland**

That this House gives its full support to Disabled Access Day on 17th January 2015, a fantastic initiative aiming to encourage the 11.6 million disabled people in the UK to visit somewhere new with their friends and families; praises Euan's Guide and all the organisers for the hard work that they have put into recruiting organisations and ensuring that the day will be a success, and for their continuous efforts to make information on disabled-accessible locations readily available; commends the over 200 companies and venues across the UK that have pledged their support for the initiative, including Buckingham Palace; recognises the importance of empowering disabled people so that they have the confidence to get out of their comfort zone and visit new places; and encourages more venues and facilities to consider how they could make their sites more accessible for disabled people.

<http://www.parliament.uk/edm/2014-15/700>

Personal Independence Payments**Q: Lord Dubs**

To ask Her Majesty's Government what steps they are taking to ensure that people facing delays in receiving personal independence payments do not endure financial hardship.

Lord Bourne of Aberystwyth (Con):

My Lords, personal independence payment is not an income replacement benefit; it contributes towards the extra costs associated with disability. Employment support allowance provides financial support for those who are ill or disabled and unable to work. We appreciate the difficulties associated with claims for PIP, and we are absolutely committed to reducing the backlog, and waiting times. Monthly clearances have quadrupled over the past year, and the backlog is falling. All successful new PIP claims are backdated.

Lord Dubs (Lab): I thank the Minister for that reply, but will he nevertheless confirm that, as recently as last month, some 670,000 people had registered for PIP but 300,000 people were still waiting for their claim to be processed, some of whom had been waiting for six months or longer? The system is not fit for purpose, yet the Government are still rolling out the scheme. Is it not right for them to stop the rollout until the system is working, to assess the negative impact on hundreds and thousands of handicapped disabled people, and to make sure that it is fit for purpose before they proceed?

Lord Bourne of Aberystwyth:

My Lords, I dispute those figures. The backlog stands at 107,000 at the moment, and 65,000 claims are being processed every month. Help is available in other areas—such as JSA, ESA, local authority help and NHS help—for those who are awaiting an assessment. The system is not failing; it is succeeding, and the backlog is being cleared.

Baroness Eaton (Con): May I ask the Minister what assessment Her Majesty's Government have made of the recent report from the all-party parliamentary inquiry into hunger and food poverty?

Lord Bourne of Aberystwyth:

My Lords, the Government have looked closely at the all-party parliamentary group's report on food banks and food poverty. It is a complex issue; there is no doubt about that. We have, of course, identified ways in which we can further publicise hardship payments, and we are doing that. We are also looking, with food retailers, at how we can ensure that food waste is minimised. The private sector has a role to play there.

Lord Touhig (Lab): My Lords, many claimants with autism lack insight into their own condition, and a family member or companion can help fill in the gaps during the PIP interview. But the National Autistic Society, of which I am a vice-president, tells me that a number of assessors are refusing to allow that. Will the Minister look into this? It is discrimination. Will he ensure that people who are autistic are not adversely affected by this attitude?

Lord Bourne of Aberystwyth:

The noble Lord does notable work in the area of autism, as is well known. The guidelines on the medical assessments related to PIP indicate that all these conditions should be taken account of. I have no evidence of this being a particular problem, but if the noble Lord would like to write to me about it, I will ensure that it is looked at.

Baroness Sherlock (Lab): My Lords, last June, Iain Duncan Smith told MPs that by the end of 2014 nobody would be waiting more than 16 weeks for a PIP assessment. Can the Minister tell the House precisely when that target will be met? I do not believe that it was met by the end of 2014. As the target was only for when people would get an assessment, can he also tell the House how long people will have to wait to get a final decision, and their money? He seemed to be reassuring the House that people would get their money backdated when they eventually got it, but is it not the case that, even though PIP is backdated, passported benefits such as blue badges and carer's allowance are not?

Lord Bourne of Aberystwyth:

The noble Baroness has asked a range of questions, and if I fail to answer all of them now, no doubt we can speak later. We are clearing the backlog and, as she will know, there has been significant progress. I shall repeat the figures: the backlog is coming down and we are clearing 65,000 claims a month. The Minister in another place, Mark Harper, will report on progress to the Work and Pensions Select Committee on 28 January. The rate of clearances is improving month on month, and the number of outstanding cases in the system has been falling significantly.

Lord Hylton (CB): Last year, food banks served 500,000 people in six months. If people cannot even afford food, does that not show that there is acute financial hardship? Will the Government therefore try to reduce the number of people suffering sanctions and make sure that sanctions last for the minimum possible period?

Lord Bourne of Aberystwyth:

The noble Lord draws attention to the important role that food banks are fulfilling. Food banks have existed for well over a decade throughout western Europe, the USA and Canada. The reasons for using food banks are many and complex, and I pay tribute to what they are doing. As I say, to address some of the concerns we are publicising much more the possibility of early payment of hardship benefit and so on, and we are working with food retailers on food waste.

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, we have heard from several Peers from the Labour Benches on this Question and we have not yet heard from a Liberal Democrat Member.

Lord German: My Lords, the loss of a Motability car can mean the loss of independence for a disabled person. Is my noble friend confident that the personal independence payment assessors are prompting claimants as to whether they can walk more than 20 metres safely to an acceptable standard repeatedly and in a reasonable time, which are the crucial criteria put into statute by this House? Unless these criteria are followed, thousands of disabled people will not be eligible for a Motability car and those being retested may lose their car and their independence.

Lord Bourne of Aberystwyth:

My noble friend raises important issues on the subject of Motability cars. It is worth noting that the Motability payment will continue while it is being reassessed. Those four criteria are looked at very closely. The legislation requires the assessors to consider whether a claimant can carry out each activity reliably. They will do that by means of observation, discussion and medical evidence—often just on the basis of medical evidence. I am satisfied that those criteria are being followed.

<http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/150115-0001.htm#15011571000299>

HL4225 (Q): Baroness Sherlock

To ask Her Majesty's Government, further to the answer by Lord Bourne of Aberystwyth on 15 January in which he stated that the current backlog of claims for personal independence payment assessments stands at 107,000, what was the source of that data and where it is published.

Lord Freud:

I refer the Noble Lady to the letter my Noble Friend Lord Bourne of Aberystwyth wrote on 21st January 2015 to Lord Dubs, a copy of which has been placed in the House Library, and is attached. The Answer includes the following attached material: Letter to Lord Dubs [4225LETTER.pdf] The

material can be viewed online at: <http://www.parliament.uk/business/publications/writtenquestions-answers-statements/written-question/Lords/2015-01-16/HL4225>

<http://www.publications.parliament.uk/pa/ld201415/ldhansrd/150126.pdf>

Employment and Support Allowance

907190 (Q): Sheila Gilmore (Edinburgh East) (Lab):

What recent assessment he has made of the reasons for changes in the number of employment and support allowance claimants.

The Minister for Disabled People (Mr Mark Harper):

Under this Government, the number of people in receipt of out-of-work benefits has fallen by 899,000, and there are 93,000 fewer people on incapacity benefit since May 2010.

Sheila Gilmore: I thank the Minister for that answer, but I think he is absolutely clear that the number of people on incapacity benefit who have been found unfit for work is far higher than the Department for Work and Pensions predicted. Is it not time that Ministers dropped the scrounger rhetoric and accepted that if people are to move back towards employment, they need real help and support?

Mr Harper: I do not know whom the hon. Lady has heard using that rhetoric, but it is certainly not me or members of this Government. It is no good her waving at us. It may be reported like that in newspapers, but Ministers do not use that sort of language. I have been very clear that people who are able to go to work with the right support will receive employment and support allowance. I am sure she was listening to the long exchange we had earlier on mental health support. Half the people on ESA have a mental health problem. She will have heard me set out the considerable range of things we are doing to help them to get back into work.

Kate Green (Stretford and Urmston) (Lab): Ministers are spending £8 billion more than planned on incapacity benefit and ESA because they cannot assess people quickly enough, they cannot reassess them, and the failing Work programme cannot get them into sustained employment. Even the Minister for Employment, the right hon. Member for Wirral West (Esther McVey), admitted a few moments ago that it is achieving a 90% failure rate. Now the Tories say that they want to cut £12 billion from social security spending, and disabled people are worried that they will be paying for this catalogue of Tory welfare failure. What reassurance can the Minister offer them?

Mr Harper: I listened carefully, but it is a bit rich for the hon. Lady to criticise the issues we had with the assessment process. There were issues with the assessment provider that her Government appointed, which is why we appointed a new contractor, Maximus, which will start work in March, and I am confident that that will improve the assessment process and get people back into work. Getting people back into work is how we will continue to reduce the benefits bill, which I remind her rose enormously when her party was in government.

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm150126/debtext/150126-0001.htm#1501264000025>
