

Motion S4M-10757: Graeme Dey, Angus South, Scottish National Party, Date Lodged: 08/08/2014

Angus CAB Publishes Paper Highlighting Challenges Faced by Online Benefit Claimants

That the Parliament welcomes the launch of *Digitally enhanced or Digitally Disadvantaged?*, a discussion paper produced by Angus Citizens Advice Bureau (CAB); notes the paper's concern regarding the Department of Work and Pensions' "digital by default" strategy, which expects 80% of benefits applications to be made online, despite the UK Government recognising that only 30% of claimants for universal credit would have no difficulty in moving to online benefit claiming; understands that the paper states that often those who are applying for benefits are those who are least likely to have access to the internet; notes with concern the wider issue of an IT skills deficit in Angus, including Angus South, with only 54% of Angus CAB clients having access to the internet at home, compared to 68% across Scotland, and commends the work done by Angus CAB on the paper, which it considers provides an understanding of the challenges faced by those claiming benefits online and the future pressures that this may place on local services.

Supported by: Stuart McMillan, David Stewart, Joan McAlpine, Roderick Campbell, Hanzala Malik, Angus MacDonald, Cara Hilton, Kenneth Gibson, Rob Gibson, Richard Lyle, Mike MacKenzie, Adam Ingram, Bill Kidd, Nigel Don, Annabelle Ewing, Colin Beattie, Dennis Robertson, Jackie Baillie, Gil Paterson, Mark McDonald, David Torrance, Maureen Watt, Clare Adamson, Sandra White, Chic Brodie

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx?SearchType=Advance&ReferenceNumbers=S4M-10757&ResultsPerPage=10>

This motion was debated in the Chamber on 01/10/14.

Graeme Dey: During 2011-12, CABx across Scotland helped clients to complete an average of 75 old-style paper benefit forms every day. That help might have been required because of technical and confusing language on the forms, or because of claimants who struggle with reading or writing.

Those problems will still exist with online applications. For anyone who experiences trouble with reading or writing or, for example, people in the deaf community who often do not use the written English language, moving the application process online will not fix those problems; it will simply exacerbate them. Those who are already struggling to fill in long and complex forms require help to do so, as will those who do not have readily available internet access or do not know how to use a computer. The digital by default strategy fails to make the application process easier for users. For the majority of claimants, it just makes it harder.

I referenced the deaf community, and I have also been told that to reduce costs, the DWP is to telephone clients where possible in order to secure additional information or to process applications. That might be a good intention, but where does that leave hearing-impaired people? The actions of the DWP will undoubtedly pile pressure on local services such as CABx or libraries that offer internet access, because no further support or funding has been offered to help such services to provide for claimants, even though the UK Government recognises that they will need extra support.

To read the full debate, go to

http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9536#.VFjLp_msX4I

S4F-02311 Kevin Stewart (Aberdeen Central) (SNP):

To ask the First Minister what action the Scottish Government is taking to support people affected by United Kingdom Government welfare reforms.

The First Minister (Alex Salmond):

We are taking a range of actions to mitigate the impact of UK Government welfare reform. We are providing £260 million over the period 2013-14 to 2015-16 to help those who are most affected. We and our local government partners have committed a total of £40 million in 2013-14 and 2014-15 to fill the gap in funding from the UK Government for council tax benefit successor arrangements, thereby ensuring that more than 537,000 vulnerable people in Scotland have been protected from increased council tax liability.

We have established the new Scottish welfare fund, which we are funding with £33 million a year, to replace discretionary elements of the social fund, and we have provided £7 million for welfare reform mitigation, such as advice and support services, in each of the three years from 2013-14.

We will continue to do what we can within the powers that we have to help those who are most affected by cuts and changes that are being imposed by the Westminster Government. Perhaps the better solution would be to bring the relevant powers under the control of this Parliament.

Kevin Stewart:

The Deputy First Minister has written to the Prime Minister calling on him to delay the implementation of universal credit in Scotland until the Smith commission has reached its conclusions on welfare, which is a position that I think that all parties in the Parliament could and should support. Does the First Minister agree that this Parliament should have the powers that it needs to make Scotland a fairer country, including welfare powers?

The First Minister:

As the Deputy First Minister made clear in her letter to the Prime Minister yesterday, the roll-out of universal credit undermines the unionist parties' vow to devolve further welfare powers, which is made more urgent by the Tories' continuing attack on welfare, which their colleagues in the Labour Party now seem to support.

In that context, and given that vows are meant to be kept, we can surely look forward to unanimous support in the chamber for the Deputy First Minister's letter and request to the Prime Minister.

Jackie Baillie (Dumbarton) (Lab):

The First Minister will recall the joint approach that Labour and the Scottish Government took in the previous budget round to ensure that the bedroom tax was fully mitigated this year. However, some people are being pursued for arrears from the previous financial year. Will the First Minister make it clear today that local authorities are allowed to use their current funding from the Scottish Government to clear bedroom tax arrears for 2013-14?

The First Minister:

John Swinney will address that very point in his budget statement next week, so I shall let him do so. I am sure that we will stand shoulder to shoulder with Jackie Baillie on the issues, and I am sure that, once she realises the benefits of that approach, she will also realise the inescapable logic of the argument that this Parliament not only could but should control welfare, so that we can provide the same protection for the people of Scotland, in particular the poorest people, on a range of other issues as we provide on the bedroom tax. Would it not be much simpler if we had those powers in our hands?

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9538#.VFjPnfmsX4I>

S4T-00803 Jamie Hepburn (Cumbernauld and Kilsyth) (SNP):

To ask the Scottish Government what its position is on the Conservative Party's plans to repeal the Human Rights Act 1998.**The Minister for Community Safety and Legal Affairs (Roseanna Cunningham):**

The Scottish Government is strongly opposed to any attempt by a future United Kingdom Government to repeal the Human Rights Act 1998, or to withdraw from the European convention on human rights. The Human Rights Act exists to protect the interests of everyone in society. Safeguards in the act have been actively used to protect the everyday rights of ordinary people in Scotland, including by helping some of the most vulnerable people in society to challenge iniquitous policies such as the bedroom tax. The Scottish Government's position is that implementation of the Conservative Party's proposals would require legislative consent, and that this Parliament should make it clear that such consent will not be given.

Jamie Hepburn:

Does the minister share the concerns that were expressed by the chair of the Scottish Human Rights Commission, Professor Alan Miller, who said that the Conservative Party's plan is

“irresponsible, undermines the rule of law, sets a dangerous precedent to other states and risks taking us backwards when it comes to protecting people's rights in everyday life”?

Roseanna Cunningham:

Professor Miller was absolutely correct to issue that warning. Over the past week, some highly irresponsible proposals and statements have been made by people who hold high political office and who should know better, frankly. Attacks on human rights must never be used as a cheap political manoeuvre by any party. David Cameron and Chris Grayling are running scared of the UK Independence Party and are pandering to the Europhobic extremists in their own party, and appear not to care about the damage that they are doing. The proposals are dangerous and they threaten rights that all of us enjoy. If they were ever implemented, they would inflict immense damage on the UK's international reputation, and on international efforts to protect and secure human rights around the world. We could hardly lecture other people if we were not prepared to abide by those international rules.

Scotland deserves better, the rest of the UK deserves better and the international community deserves better, and the influence that Scotland and the UK have in the wider world mean that we in this Parliament have a responsibility to show leadership on the issue and to make it clear that what Chris Grayling is proposing is simply unacceptable. I am sure that the overwhelming majority of members of this Parliament agree on that.

Jamie Hepburn:

The minister alluded to the fact that last year a woman with multiple sclerosis was, on human rights grounds, successful in challenging Glasgow City Council's decision to apply the bedroom tax against her. Does the minister share my concern that such recourse could be stripped away if the Human Rights Act 1998 were to be scrapped? Is not that case a perfect example of why the act matters to us all?

Roseanna Cunningham:

That is, of course, a precise example of a danger of the changes that seem to be being proposed. Chris Grayling said in a document on Friday that what he wants to do is

“Limit the use of human rights laws to the most serious cases.”

Of course, we do not have a list of what those “most serious cases” might be or of what might, in his mind, be trivial cases. The paper goes on to say that use of the proposed new British bill of rights

“will be limited to cases that involve criminal law and the liberty of an individual, the right to property and similar serious matters. There will be a threshold below which Convention rights will not be engaged, ensuring UK courts strike out trivial cases.”

Of course, what might be trivial to Chris Grayling might be a matter of near life and death to an ordinary human being in our society.

The proposal sounds very much like an excuse for depriving the most vulnerable people in society of hard and enforceable rights. It sounds like a mechanism for removing the right to challenge unfair and unjust policies, and it sounds like a plan to silence dissent and to prevent inconvenient court rulings that demonstrate just how ill-conceived and damaging policies like the bedroom tax are. That is not just my view or the view of the Scottish Government; it also happens to be the view of some very big names within the Tory party itself. For example, Ken Clarke has voiced precisely the same concern. The Scottish Parliament cannot allow what is proposed to happen; it involves a principle that should unite us all.

Margaret Mitchell (Central Scotland) (Con):

Does the minister consider that there is an opportunity here to sort out some of the not inconsiderable problems that have arisen from our incorporation of ECHR into the Scotland Act 1988 without fully appreciating the unintended consequences?

Roseanna Cunningham:

I note that Margaret Mitchell has not bothered to give us any specific examples of what those problems might be. I believe that Governments can occasionally be made uncomfortable by decisions that are made elsewhere in terms of human rights. However, in a sense, that is as it should be.

I recall in the early years of this Parliament a then justice minister being warned frequently and vociferously that slopping out in our prisons would simply not stand in terms of human rights, but he nevertheless chose to take the budget for fixing it away and then—lo and behold—it ultimately went to court, and of course it did not stand.

It is not as if we often do not understand in advance when things are going to be a problem, so we should be able to look forward in order to try to fix them. Sometimes, Government will be discomfited by results, but if a human rights act did not occasionally discomfit Government, what on earth would be the point of having it in the first place?

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9566#.VFjUKvmsX4I>

S40-03579 Willie Coffey (Kilmarnock and Irvine Valley) (SNP):

To ask the Scottish Government what the trends are in the number of children in Gaelic-medium education.

The Minister for Learning, Science and Scotland’s Languages (Dr Alasdair Allan):

The overall trend in the number of children in Gaelic-medium education shows an increase, as can be seen in the number of pupils entering primary 1 Gaelic-medium education classes, which has increased from 406 in 2011-12 to 428 in 2012-13, 486 in 2013-14 and 536 in 2014-15.

Willie Coffey:

The minister will no doubt be aware of the £36 million investment that is planned for a new school for Kilmarnock, £1 million of which will support a magnificent Gaelic two-to-18 campus. With a project of that scale being delivered, does the minister see further opportunities to develop Gaelic and perhaps to reach out to parents in the wider community to encourage them to take an interest in Scotland's language?

Dr Allan:

The Scottish Government is always happy, as Willie Coffey says, to reach out to the community of parents who, whether they are with or without Gaelic, have an interest in ensuring that their children have a bilingual education. The support that is on offer from the Scottish Government has been made use of enthusiastically in East Ayrshire.

http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9569#.VFjVy_msX4I

S4M-11332: Fergus Ewing, Inverness and Nairn, Scottish National Party, Date Lodged: 28/10/2014**Supported Business**

That the Parliament recognises the economic and social value of supported businesses in Scotland; welcomes the recent success of many of these businesses in enhancing their commercial viability through business support and action to increase public and private sector procurement; commends the work of the new third sector supported business, Haven Protective Technology Solutions (Haven PTS Ltd), which has been developed in response to the enforced closure of the five Stage Two Remploy factories, and agrees the importance of continuing to support these businesses.

Supported by: John Swinney, Derek Mackay, Michael Matheson

S4M-11332.1: Gavin Brown, Lothian, Scottish Conservative and Unionist Party, Date Lodged: 29/10/2014**Supported Business**

As an amendment to motion S4M-11332 in the name of Fergus Ewing (Supported Business), leave out from "which has been developed" to end and insert "and supports the central theme of the 2011 review by Liz Sayce that disability employment funding by government should follow the individual so that they have the freedom to select the support that best meets their needs."

S4M-11332.2: Jenny Marra, North East Scotland, Scottish Labour, Date Lodged: 29/10/2014
Supported Business

As an amendment to motion S4M-11332 in the name of Fergus Ewing (Supported Business), insert at end "; notes the importance of public procurement in sustaining supported businesses; notes the slow progress of public authorities to award contracts to supported businesses, and requests an amendment to the Procurement Reform (Scotland) Act 2014 requiring all 118 public authorities in Scotland to award at least one contract to a supported business".

Motion was debated on 30/10/14. To read the report of the debate, go to

<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=9589#.VFkA1PmsX4I>

S4W-22538 Graeme Pearson (South Scotland) (Scottish Labour):

To ask the Scottish Government how much has been raised from use of the 101 telephone number, and what plans it has to provide callers with a notice that a charge of 15p will be incurred.

Kenny MacAskill:

The introduction of the 101 number has allowed for the cost of a non-emergency call to become standardised and transparent across the whole of the UK for the first time.

There are no plans for a national campaign about the 15p charge. Information on the 101 number and the 15p charge is already available on the Police Scotland website. Neither the Police nor the Scottish Government receive money from calls to 101. The 15p cost of the call goes to the telephony providers to cover the cost of carrying the calls. The 15p charge per call to the 101 number was set and is regulated by the Home Office.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141002.pdf

S4W-22551 Richard Simpson (Mid Scotland and Fife) (Scottish Labour):

To ask the Scottish Government whether there is routine testing of prisoners for learning disability and what the reason is for its position on this matter.

Kenny MacAskill:

I have asked Colin McConnell, Chief Executive of the Scottish Prison Service, to respond. His response is as follows:

“The Scottish Prison Service (SPS) does not currently routinely and systematically screen prisoners for learning disability. Potential learning difficulties and disabilities (LDD) issues are identified through a variety of means including the application of literacies screening tools for those choosing to engage in learning or observations by SPS, education or health centre staff and SPS to address the presenting needs of prisoners identified through these means.

The principal reason that SPS does not routinely screen prisoners for LDD is that until recently, there has been no comprehensive tool available to identify the needs of this cohort group. We have therefore relied on the transfer of information accompanying the individual from health, social services or justice representatives to inform of any hidden disabilities that may be present.

SPS does recognise that LDD is a significant issue amongst the prisoner population and is committed to improving our assessment processes and provision of services. We are currently testing a number of approaches including piloting. This is a comprehensive screening tool providing a ‘red flag’ indicator across the spectrum of LDD conditions.”

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141002.pdf

S4O-03550 Aileen McLeod (South Scotland) (Scottish National Party):

To ask the Scottish Government what progress is being made on the rollout of next generation broadband in South Scotland.

Nicola Sturgeon:

The local authorities in the south of Scotland are key investment partners in the Digital Scotland Superfast Broadband programme.

The south of Scotland will receive upgraded infrastructure throughout the four year programme, which will run until the end of 2017.

In the first two phases of the programme, it has been confirmed that cabinets connected to the exchanges in Galashiels and Dumfries will receive fibre broadband. It has also been announced that the following exchange areas will be fibre-enabled: Amisfield, Castle Douglas in Dumfries and Galloway, and Earlston, Lauder, Melrose, Selkirk and St Boswells in Scottish Borders.

By the end of the programme, access to fibre broadband in the south of Scotland is expected to increase from 32% to 94% of premises.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141002.pdf

S4W-22577 Jackie Baillie (Dumbarton) (Scottish Labour):

To ask the Scottish Government whether local authorities have been advised that they can cancel arrears of the so-called bedroom tax arising in 2013-14 and when it will issue guidance on the matter.

Margaret Burgess: The management of arrears, including those related to the bedroom tax, is a matter for landlords as part of their responsibility to manage their tenants, stock and finances. The cap for Discretionary Housing Payments (DHPs) will be lifted once the power to do so is transferred to Scottish Ministers. When that happens, local authorities will be able to top up their DHP accounts to make any further payments in line with local priorities.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141003.pdf

S4W-22591 Mary Scanlon (Highlands and Islands) (Scottish Conservative and Unionist Party):

To ask the Scottish Government how many additional staff are being recruited to meet the (a) current waiting time target for child and adult mental health services and (b) proposed target of 26 weeks for adult mental health patients from December 2014.

Michael Matheson:

Funding is provided for NHS boards to increase the Child and Adolescent Mental Health Services (CAMHS) clinical workforce. Significant investment (£13.5 million from 2009-2014) was provided to deliver faster access to specialist child and adolescent mental health services in the community; and in the CAMHS workforce which has seen the overall clinical workforce increase by 43% since 2008.

Information Services Division (ISD) publish data on a quarterly basis detailing the size of the CAMHS workforce across NHS boards. As at 30 June 2014, the total number of clinical staff in post in NHS Scotland CAMHS was 1080 (headcount) with a whole time equivalent (WTE) of 925.4.

Previous figures in 2014 are as follows:

As at 31 March 2014, the total number of clinical staff in post in NHS Scotland CAMHS was 1075 (headcount) with a WTE of 917.5.

As at 31 December 2013, the total number of clinical staff in post in NHS Scotland CAMHS was 1065 (headcount) with a whole time equivalent of 909.9.

NHS boards have delivered the CAMHS HEAT target commitment that by March 2013 no one will wait longer than 26 weeks from referral to treatment for specialist CAMHS.

NHS boards are now working towards the target of 18 weeks by December 2014. We continue to monitor their progress through monthly management information data and through the quarterly published ISD data. The latest published data indicates that nationally the 18 week target is being met within the 10% tolerance and the average wait is 7 weeks.

ISD publish quarterly data on the psychology workforce in NHS Scotland. The total number of clinical staff employed in NHS Scotland Psychology Services continues to rise, with 1184 staff (1001.2 WTE) including 861 (724.2 WTE) clinical and other applied psychologists in post at 30 June 2014.

There has been a significant increase over time in the number of clinical and other applied psychologists employed in NHS Scotland from 426 (371.0 WTE) in 2003 to the current level of 861 (724.2 WTE). The data from this publication is used by NHS Education for Scotland (NES), the Scottish Government and NHS boards to support local, regional and national workforce planning, and to support educational training and planning.

As staff required to deliver the psychological therapies access target will be wider than those working in psychology services alone, we are, through NES, working to assess and develop workforce capacity to ensure that a range of staff are equipped to deliver therapies. Staffing levels are however, a matter for each individual board to determine, according to local need.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141003.pdf

S4W-22559 Elaine Murray (Dumfriesshire) (Scottish Labour):

To ask the Scottish Government when local authorities received funding to enable them to fully mitigate the so-called bedroom tax.

Margaret Burgess:

The initial allocation of £20 million was included in the 2014-15 local government finance settlement from 1 April 2014 and is being paid to individual local authorities on a weekly basis as part of their general revenue grant allocations. An additional £15 million was held back whilst negotiations were ongoing with the UK Government around the removal of the cap on Discretionary Housing Payments (DHPs). Following agreement with the Convention of Scottish Local Authorities, £12 million of this will be paid in the last two weeks of March 2015, the remaining £3 million being paid in May 2015 following the publication of DHP statistics which will allow the Scottish Government to reimburse local authorities according to actual DHP expenditure.

The funding was announced in advance of the Scottish budget in February 2014 and I wrote to each local authority on 28 March 2014 to confirm that they would receive sufficient funding to fully mitigate the bedroom tax in 2014-15.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141006.pdf

S4W-22645 Drew Smith (Glasgow) (Scottish Labour):

To ask the Scottish Government what discussions it has had with NHS Greater Glasgow and Clyde and Glasgow City Council about the provision of parking for staff, patients and visitors at the new South Glasgow Hospitals site.

Alex Neil:

The Scottish Government has corresponded with NHS Greater Glasgow and Clyde on a number of occasions regarding the provision of parking for staff, patients and visitors. NHS Greater Glasgow and Clyde have outlined the provision of 3,500 car parking spaces following completion of a third multi-storey car park in the summer of 2016 – the maximum number of spaces permitted by the planning consent for the new hospitals and laboratory facilities. In allocating these spaces the board will take account of the following:

The balance of allocation of space between staff permit holders and patients, the process to allocate permits to staff, a small number of unallocated, first come first served spaces which can be accessed by staff without permits, a car sharing programme and a number of travel information and support arrangements for staff.

The board is in continued dialogue with planners to look at whether there is any scope to increase the number of spaces from 3,500 to 4,000 as part of the final master planning of the site.

Parking provision is being considered as part of a range of travel options, including investment in public transport. NHS Greater Glasgow and Clyde are working with local authorities and Strathclyde Partnership for Transport to improve accessibility and frequency of services to this site. The board will encourage car sharing and a switch to public transport alternatives to take pressure off parking space availability. Loan schemes are in place to save staff costs on travel tickets and on enhanced transport links such as the new Fastlink.

S4W-22646 Drew Smith (Glasgow) (Scottish Labour):

To ask the Scottish Government whether it considers that there is adequate parking for staff, patients and visitors at the new South Glasgow Hospitals site.

Alex Neil: The Scottish Government is satisfied that the maximum number of car parking spaces, as determined in the planning consent process, will be provided by NHS Greater Glasgow and Clyde. These spaces, combined with the enhancements to public transport, including improved public transport routes, targeted investment in communities with poorer public transport and the Scottish Government's investment in the new Fastlink scheme, which will introduce direct links from three main sites in the city centre (Buchanan Bus Station, Queen Street Station and Central Station) to the new South Glasgow Hospitals campus, will collectively provide a range of travel options for staff, patients and visitors.

The board recognises that public transport connections are crucial – for example, people in the west of the city will connect via Partick Interchange to Govan Underground where they will connect with the Fastlink to the main door of the new hospital.

This combination of arrangements balances ease of access to the new hospitals with encouraging sustainable transport and managing pollution and congestion in the local area.

S4W-22647 Drew Smith (Glasgow) (Scottish Labour):

To ask the Scottish Government whether there is a workforce travel plan for the new South Glasgow Hospitals site and, if so, whether it considers it adequate.

Alex Neil:

Yes there is a workforce travel plan for the new South Glasgow Hospitals campus and NHS Greater Glasgow and Clyde is investing a further £5.2 million in this plan. The detailed travel plan includes close working with service providers to increase the frequency of public transport services and promote the use of travel hubs/mini interchanges for staff travelling by car from outwith the city.

The board are working in partnership with Strathclyde Partnership for Transport and Glasgow City

Council to ensure that investment is targeted at communities where there are poorer public transport links and with Renfrewshire Council to ensure that the Fastlink scheme is extended to Braehead to support better public transport connectivity for staff who reside in that area.

Staff can access up to date information via the staff side travel advisory group and the board have undertaken road shows and drop in sessions for staff on transport issues.

S4W-22648 Drew Smith (Glasgow) (Scottish Labour):

To ask the Scottish Government what concerns have been raised about the safety of staff who cannot park at the new South Glasgow Hospitals site or in the surrounding streets.

Alex Neil:

NHS Greater Glasgow and Clyde have given the Scottish Government assurances that as part of the new South Glasgow Hospitals development there is a well-established staff advisory transport group comprising of managers and trade union representatives that staff can take any safety and security issues to.

The Scottish Government is aware that some concerns have been raised and has taken this issue very seriously. NHS Greater Glasgow and Clyde have responded to the following concerns:

(1) Personal safety (especially in the evening) when walking to/from their vehicles parked off-site: Glasgow City Council have made (or are currently in the process of making) a number of improvements in respect of street lighting and general improvements to various underpasses that would be used by staff. Furthermore, the introduction of community warden services throughout the area and specifically concentrating on known 'hotspots' has resulted in demonstrable improvements.

(2) Personal safety regarding waking to/from, and within car parks on the new South Glasgow Hospitals campus: Car parks will be well lit and will be covered by CCTV. In addition, pathways from the new hospitals and the existing retained site buildings will also be illuminated and, given the size of the campus, are likely to be busy for the majority of the time. Furthermore, the site will have a dedicated security team.

(3) Personal safety if cycling to work - notably through Clyde tunnel and areas of Govan: In addition to the comments noted at point (1), there have been a number of significant improvements in the Clyde tunnel thoroughfares, including controlled access, extensive CCTV coverage, enhanced communication links and various cosmetic improvements. We have also organised specific events inviting staff to collectively view the improvements first hand and take the opportunity to walk through the tunnel routes.

(4) Personal safety using public transport - especially late at night: CCTV coverage is extensive in all Strathclyde Partnership for Transport infrastructure.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141028.pdf

S4W-22716 Liz Smith (Mid Scotland and Fife) (Scottish Conservative and Unionist Party):

To ask the Scottish Government how many children and young people with (a) mental health issues, (b) challenging behaviour and (c) learning difficulties are sent to England for treatment, broken down by (i) local authority and (ii) NHS board, and who pays for such placements.

Michael Matheson:

NHS National Services Scotland (National Services Division) funds placements of children and young people with mental health problems who require secure inpatient care. The following table below shows placements over the last three years and includes young people with challenging behaviour and learning disability. The information is not disaggregated to help maintain patient confidentiality.

Information about placements arranged by individual NHS boards or local authorities is not held centrally.

Year	2011 - 12	2012 - 13	2013 - 14
Number of placements	7	2	7

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141028.pdf

S4W-22713 Liz Smith (Mid Scotland and Fife) (Scottish Conservative and Unionist Party):

To ask the Scottish Government how many inpatient psychiatric units there are in Scotland for children and young people with (a) mental health issues and (b) severe learning difficulties.

Michael Matheson:

The following table shows the three regional adolescent inpatient units operating across Scotland based in Glasgow, Edinburgh and Dundee:

Unit	No of beds	Area served
Royal Edinburgh Hospital	12	South East of Scotland (Lothian, Fife and Borders)
Skye House, Stobhill, Glasgow	24	West of Scotland (Greater Glasgow and Clyde, Forth Valley, Lanarkshire, Dumfries and Galloway and Ayrshire and Arran)
Dudhope House, Dundee	6 (a further six beds will be available from mid-2015).	North of Scotland (Tayside, Grampian, Highland, Shetland, Orkney and Western Isles)

Severe psychiatric conditions are rare in children under 12, but those who require intensive support and treatment can be cared for in the nine bedded specialist units within the Royal Hospital for Sick Children, Yorkhill.

Admission for children with a learning disability would be considered on a case-by-case basis, normally only being required in the most severe and complex cases. One specialist bed is provided for children and young people with severe learning disability in Lothian, at the Royal Edinburgh Hospital, staffed when required, by the intensive learning disability Child and Adolescent Mental Health Services team.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141029.pdf

S4W-22699 Christina McKelvie (Hamilton, Larkhall and Stonehouse) (Scottish National Party):

To ask the Scottish Government what impact the repeal of the Human Rights Act 1998 would have on the Scotland Act 2012 and the Scottish Government's human rights strategy.

Roseanna Cunningham:

The Scotland Act 2012 (the 2012 Act) amends the Scotland Act 1998 (the 1998 Act). Repeal of the Human Rights Act 1998 (HRA) would have implications for the 1998 Act, as amended by the 2012 Act, because the concept of 'Convention rights', which is of central importance in relation to the legislative competence of the Scottish Parliament and the executive competence of the Scottish Government, is defined in the 1998 Act by reference to the HRA.

Repeal of the HRA would also have implications for the arrangements introduced by the 2012 Act for determining 'compatibility issues' in criminal proceedings – including whether a public authority has acted unlawfully under the HRA or whether provision in an Act of the Scottish Parliament is incompatible with the Convention rights.

The precise implications of repeal of the HRA would depend on the detail of the repealing legislation. The Scottish Government is committed to creating a modern, inclusive Scotland which protects, respects and realises internationally recognised human rights, for the benefit of all. That commitment is reflected in our support for Scotland's National Action Plan for Human Rights (SNAP) and the shared vision, which SNAP establishes, of a Scotland in which everyone is able to live with human dignity. SNAP is being taken forward as a collaborative process, which focuses and co-ordinates action by a wide range of partners in pursuit of that overall vision.

S4W-22754 Christina McKelvie (Hamilton, Larkhall and Stonehouse) (Scottish National Party):
To ask the Scottish Government what impact the repeal of the Human Rights Act 1998 would have on Scottish legislation.

Roseanna Cunningham:

Repeal of the Human Rights Act 1998 (HRA) would have a range of potential implications for the making, interpretation and implementation of Scottish legislation. The precise implications for Scotland would depend on the detail of the legislation which repealed the HRA.

Such effects could be both direct and indirect. There would, for example, be a direct impact if the operative provisions of the HRA ceased to have effect in relation to the activities of public authorities in Scotland. An indirect effect might arise, in the event of repeal, because the Scotland Act 1998 defines the concept of 'Convention rights' by reference to the HRA. That concept is, in turn, of central importance in defining the legislative competence of the Scottish Parliament and the executive competence of the Scottish Government.

Repeal of the HRA in Scotland would represent a radical and unwelcome upheaval in the fundamental constitutional structure of Scotland's devolution settlement, and could potentially mean people in Scotland being deprived of legal remedies and human rights safeguards that exist in other modern democracies.

http://www.scottish.parliament.uk/S4_ChamberDesk/WA20141030.pdf



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Access to Work Enquiry

The Work and Pensions Committee held its final evidence session into Access to Work (AtW) on 29 October 2014.

Witnesses from the Department for Work and Pensions

- Mark Harper MP, Minister for Disabled People
- Colin Stewart, Work Services Director

This final evidence session with the Minister for Disabled People intended to explore the Government's position on a range of issues highlighted during the inquiry, including:

- The potential for substantially increased funding of AtW in line with the recommendation of the Sayce Review
- DWP's general approach to the administration of the scheme, including its approach to self-employment and entrepreneurship
- Specific administrative issues, including the paper-based application and invoicing processes and the recently introduced central call centre system
- The clarity, transparency and consistency of the award decision-making and review processes
- The level of disability awareness of DWP staff administering the scheme
- The guidance on funding for full-time "support workers"
- Referral routes into the Workplace Mental Health Support Service; and
- The AtW employer cost-sharing arrangements

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/work-and-pensions-committee/news/atw-final-evidence-session/>

Scotland within the UK

The Secretary of State for Scotland (Mr Alistair Carmichael): With permission, Mr Speaker, I wish to make a statement to the House about the position of Scotland within the United Kingdom. As hon. Members will know, on 18 September the people of Scotland voted in a referendum on independence. I am pleased to report to the House that, by a margin of 10.6%, or by 55.3% to 44.7%, the people of Scotland voted to remain part of the United Kingdom.

The referendum was underpinned by the Edinburgh agreement, signed between the United Kingdom Government and the Scottish Government in October 2012. That agreement ensured that the referendum would have a clear legal base, that it would be conducted in a way that commanded the confidence of both Parliaments, Governments and people, and, most importantly, that it would deliver a fair, legal and decisive expression of the views of people in Scotland—a result that everyone would respect.

More than 2 million people made a positive choice for Scotland to remain part of the United Kingdom. The franchise for the referendum included, for the first time ever in this country, 16 and 17-year-olds. At a time when our elections have suffered from declining participation, the turnout across Scotland was nearly 85%—something that I am sure all across the House would welcome. Politics works best when people take an active interest in supporting the things that matter to them most. It also adds emphasis to the democratic result.

The decision of the people of Scotland was clear: they voted to continue to be part of this family of nations; they voted to continue to work alongside people in England, Wales and Northern Ireland; and they voted for all of us to remain together as a United Kingdom. It is important that everyone now accepts that result. We should all move on from being part of the 55% or the 45% to working for 100% of the people of Scotland.

That is what we are doing. The vow made by the Prime Minister, the Deputy Prime Minister and the Leader of the Opposition during the referendum campaign is already being put into practice. The Smith commission, chaired by Lord Smith of Kelvin, was up and running on 19 September. He will convene cross-party talks to reach agreement on the proposals for further devolution to Scotland. His terms of reference make it clear that the recommendations will deliver more financial, welfare and taxation powers, strengthening the Scottish Parliament within the United Kingdom. But that process is not just about the parties; the referendum opened up civic engagement in Scotland across sectors, communities and organisations, and Lord Smith has made it clear that he wants to hear from all those groups to ensure that the recommendations he produces are informed by views from right across Scottish society.

By St Andrew's day, Lord Smith will publish "Heads of Agreement". The Government are committed to turning those recommendations into draft clauses by Burns night 2015. The timetable is demanding, but that is because the demand is there in Scotland to see change delivered, and it is a demand we shall meet. On Friday 10 October, all five main Scottish parties submitted their proposals to the commission. In the case of the Labour, Conservative and Liberal Democrat parties, the proposals reflect the positions published by the parties prior to the referendum campaign. The Scottish National party and the Green party agreed to join the cross-party talks after the referendum, and they too submitted proposals on Friday—a development that we welcome.

Today I can confirm that the Government are meeting the first step in the further devolution process by publishing a Command Paper. The Command Paper we are presenting today provides a clear, factual summary of the proposals for further devolution in Scotland published by each of the three pro-UK parties, as we committed to do during the referendum campaign. Those plans encompass a broad, complex and often interlinked range of topics, from taxation to borrowing and from welfare to regulation. To inform and assist consideration of each of those proposals, the Command Paper also sets out factual information about the current situation in the key policy areas, as well as presenting some background information about devolution in Scotland to date. The publication is wholly without prejudice to the work of the Smith commission, which will look at proposals from all the parties and others and seek to establish the ground for consensus. This will be the first time in the development of Scotland's constitutional future that all its main parties are participating in a process to consider further devolution. It is a truly historic moment, and one that I very much welcome.

With all five main Scottish parties working together in collaboration, I am confident that we will reach an agreement that will provide the enhanced powers to the people of Scotland and accountability for the Scottish Parliament while retaining the strength and benefits of being part of the United Kingdom. That was the message heard loud and clear during the referendum campaign, and it is one that this Government, and all Scotland's political parties, are committed to supporting.

Margaret Curran (Glasgow East) (Lab): I thank the Secretary of State for advance sight of his statement.

Only three weeks ago, in unprecedented numbers, the people of Scotland voted to remain part of the United Kingdom. It was an historic decision, and the result was emphatically clear: the Scottish people voted for pooling and sharing resources across the United Kingdom; they voted to continue with devolution; and they voted for a stronger Scottish Parliament. I wish today to pay particular tribute to my right hon. Friends the Members for Edinburgh South West (Mr Darling) and for Kirkcaldy and Cowdenbeath (Mr Brown), who put the case with so much passion throughout the campaign.

Following the referendum, we can say with confidence that devolution is the settled will of the Scottish people and that we shall have a stronger Scottish Parliament. A vital part of the campaign was the commitment made by the Leader of the Opposition, the Prime Minister and the Deputy Prime Minister to have a strengthened and empowered Scottish Parliament. Led by my right hon. Friend the Member for Kirkcaldy and Cowdenbeath, we guaranteed a clear and definitive timetable for further powers, and I am pleased that the Secretary of State has published the Command Paper

ahead of time today. Can the Secretary of State confirm that a motion now appears on the Order Paper detailing that timetable?

The process now ongoing under the leadership of Lord Smith of Kelvin will guarantee that more powers will come to the Scottish Parliament. The Labour party will enter the talks this week in a spirit of partnership and co-operation with the other parties. We will apply a simple test to reaching a conclusion: what outcome respects the result of the referendum and will make the people of Scotland better off? The people of Scotland have voted for pooling, sharing of resources and greater prosperity, and that should guide the commission's discussions.

The referendum attracted the highest level of participation of any national poll ever held in Scotland. It is important that, as we develop this next stage of devolution, we reflect that. The Secretary of State has mentioned how voluntary organisations can participate. Will he lay out how individual members of the public can contribute to that process too and tell the House how Lord Smith intends to engage with people across every area of Scotland?

We debated the agreement for the referendum two years ago, as the Secretary of State said. At that time, I said that we would spend the campaign vigorously defending devolution from those who would seek to bring it to an end. Over these last two years, that is exactly what the Labour party has done. Not only does this campaign conclude with the devolution settlement secured; that settlement will be strengthened. We will continue to argue that the best future for Scottish people comes from pooling and sharing resources inside the United Kingdom and from a powerhouse Parliament that can again change the lives of people across Scotland. That is what the people of Scotland want, and it is what the Labour party will fight for.

Mr Carmichael: I thank the hon. Lady for the very constructive tone of her response. Working with people across parties has been an interesting experience, as it always is in Scotland, and it is clear that the process of cross-party working will have to continue if the will of the Scottish people expressed on 18 September is to be honoured. That will become all the more challenging, although I still believe it will be more effective as a result, for having members of the Scottish National party and Scottish Green party on board. A high price will be paid by any political party that does not enter the Smith commission and the process that follows in good faith.

I echo the hon. Lady's comments about her right hon. Friends the Members for Edinburgh South West (Mr Darling) and for Kirkcaldy and Cowdenbeath (Mr Brown). All Members from Scotland, and a number from beyond it, played their role in giving leadership across the referendum campaign, but her two right hon. Friends indeed played a particularly important and significant role.

The motion on the Order Paper honouring the timetable has indeed been tabled. On the approach of the Labour party and the Government, I should remind the House that under the Scotland Act 2012 any proposal should have cross-party support, should be based on evidence and should not be to the detriment of other parts of the UK. It is the Government's view, as expressed in the Command Paper today, that that should also be the guiding principle in relation to the current process.

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141013/debtext/141013-0002.htm#14101322000002>

Online Access (Disabled People)

905465 Chi Onwurah (Newcastle upon Tyne Central) (Lab):

**What steps he is taking to support people with a disability to get online.
The Minister for Culture and the Digital Economy (Mr Edward Vaizey):**

The Government Digital Service launched the Government's digital inclusion strategy in April 2014. BDUK is encouraging local authorities to work with Go ON UK to help people to get online.

Chi Onwurah:

Last month the charity Becoming Visible arranged for my hon. Friend the Member for Newcastle upon Tyne North (Catherine McKinnell) and me to meet a group of profoundly deaf constituents. I was struck by how much they wanted to participate and engage and, in particular, to find jobs—but not to be paid less than the minimum wage—and also by how excluded they felt by the lack of British sign language accessibility for the web. I am sure that there is a technological solution. What technologies is the Minister examining that could help those with disabilities, especially the profoundly deaf, to get online?

Mr Vaizey: I share the hon. Lady's concern. I have been encouraging the use of what is known as the video relay system, which enables people to talk to a British sign language interpreter online. I have written to the top 100 FTSE companies, but very few have replied, and I intend to follow that up soon.

One of the things that held the programme back was a costing of £100 million, which I considered fanciful. When BT installed the system, the costing was between £15,000 and £20,000. The system is very cheap, and companies should install it. The Government should install it as well, and I am trying to encourage my colleagues to ensure that they do.

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141016/debtext/141016-0001.htm#14101661000020>

Workplace Pensions: Putting Savers' Interests First

The Minister for Pensions (Steve Webb):

Four million people have been automatically enrolled into workplace pensions since 2012—a significant step as we expand retirement saving in the UK. Millions more will be enrolled before 2018 as the workplace market is transformed.

We must make sure workplace pensions are well governed, with competent trustees and managers and members' interests at the heart of everything they do. Today's Command Paper confirms that we intend to place minimum governance standards on all money purchase schemes. The Pensions Regulator and the Financial Conduct Authority will continue working with the DWP to make sure members are protected regardless of the type of workplace arrangement they are saving into.

We will also press on with the charges measures we announced in March—protecting members from high and unfair charges. Today we provide more detail on how these protections will be implemented, along with more information on measures to drive greater transparency, so pension savers and those running schemes know exactly what they are paying for.

Alongside today's Command Paper we are publishing draft regulations on the governance and charges measures that, subject to parliamentary approval and any changes as a result of this consultation, will commence from April 2015. The consultation will last for four weeks and we look forward to engaging with our stakeholders during that period to make sure we get this important legislation right.

This Government are putting savers at the heart of the pensions system. Alongside the flexibilities announced in the Budget, these measures will provide savers with the best chance of securing a financially independent retirement.

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141017/wmstext/141017m0001.htm#14101790000007>

Personal Independence Payments Debate

Mr Tom Clarke (Coatbridge, Chryston and Bellshill) (Lab): It is a pleasure to serve under your chairmanship, Mr Gray. I welcome this debate.

The measure of a Government's compassion is their treatment of the most vulnerable members of society. Although we all recognise the unfortunate reality that we must deal with our nation's deficit, that should never be done on the backs of that section of our society. I requested this debate in response to the dreadful experiences of some of my constituents with personal independence payments. Many of them require the state's support in order to enjoy a life that those of us fortunate enough to enjoy good health often take for granted. For them, a fair measure of support makes the difference between spending their lives at home, isolated, alone and cut off from the rest of society, and enjoying as active a life as possible and participating in their communities.

Colleagues will know that in the past I have raised the deficiencies of the former disability living allowance. When a constituent of mine endured the difficulties associated with a laryngectomy—the removal of the voicebox, which is almost always carried out as a means of treating cancer—I spoke in the House. The benefits process was so convoluted that it resulted in an individual having to fill out an application form of massive proportions. That would be difficult for many of us, let alone for an individual with a profound physical or mental disability. In this individual's case, using a telephone was just not possible. Enable, the charity supporting people with learning disabilities in Scotland, has said:

“Whilst it may be possible for many claimants to make this initial call without support, it is our experience that people with a learning disability are often unable to do this and require the physical support of advice services. This is especially true when no family or other support is available to assist.”

Citizens Advice Scotland agrees.

I sought this debate today not least to congratulate Citizens Advice Scotland, which runs the Scottish citizens advice bureaux, on its 75th anniversary. I warmly commend its excellent staff and many volunteers. Crucially, it released a report recently that shows that the rollout of PIP to replace DLA is in an utterly shambolic state. I commend that report to the House for its consideration, and I intend to make a number of references to it. For example, for some rural residents in the north of Scotland the nearest assessment centre is in Inverness, which requires an 80-mile round trip. In some cases, people have to go even further, travelling distances of up to 100 miles, and even in urban areas there are serious problems.

I will give another example of a person who was contacted by Atos for a home visit, so that they could receive a medical assessment for PIP. The individual was receiving in-patient care in hospital on the arranged date and informed Atos, which told her that non-attendance at the meeting would affect any award of PIP. Therefore, the patient had to arrange for an early discharge from hospital and pay for a taxi back to her home. Using a walking frame and with a nasogastric tube in place, she was told by the health care professional who arrived to see her that the assessment could not be carried out because she was too ill. Of course, that left the patient very upset and the health care professional informed her manager of this. Consequently, the health care professional was told that she could carry out the assessment if the patient agreed that it could go ahead. Afterwards, the patient had to get another taxi back to the hospital, at a cost of another £12.

Numerous cases involve what is at best a very sceptical line of questioning and at worst an outright interrogation of a claimant's circumstances, and I know that many of my colleagues know of similar experiences.

Another decision involved an individual with heart failure who was initially refused any component of PIP, because she had walked from the car park to the assessment centre, albeit with enormous difficulty.

Time and again, the main reasons why people are asking for PIP decisions to be reviewed are, first, the failure to consider fully the impact of a client's condition during the medical assessment, and, secondly, inconsistencies in the information provided by the Department for Work and Pensions following a decision.

Decisions about the refusal of the mobility component also cause problems. In its comprehensive report, Citizens Advice Scotland states that it has found selective use of evidence in order to make a decision not to award the benefit. Clients feel that not all of their circumstances have been considered, or that they have been over-simplified.

Another awful example is that of a client who had just been awarded a PIP daily living standard rate. He was told that he could drop dead at any time due to a heart condition, and he had a specialist cardiologist's report from the beginning of last year stating that. The person is so traumatised by the wait and the hardship that have been caused that he cannot face the appeal; he has been told to avoid stressful circumstances at all costs. All that, and much more of what is in the report, is totally unacceptable

Four in five advisors say that delays are causing worsening health, and in nine out of 10 cases are causing additional stress and anxiety, not to mention financial strain, while claims are being assessed.

Mark Lazarowicz (Edinburgh North and Leith) (Lab/Co-op):

I congratulate my right hon. Friend on securing this debate, and I am sure that we will continue to discuss this issue during the course of the day.

What can double or treble delays is the delay upon delay in the appeal procedure. I know of the case of someone who first applied for PIP back in September 2013. She was refused it in the first instance. She was then successful at the first-tier appeal, but the Department has not yet decided whether or not to appeal to the next tier up; because of various delays and errors, that decision has not yet been reached. So, 13 months after first applying, she is still facing nobody knows how many months of delay, and that kind of thing is causing people much tension and pressure, is it not?

The debate continues at length and can be read here -

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm141028/halltext/141028h0001.htm#141028100000001>

Early day motion 366: CITIZENS ADVICE SCOTLAND REPORT, VOICES FROM THE FRONTLINE: PERSONAL INDEPENDENCE PAYMENTS

Primary sponsor: [Gilmore, Sheila](#)

That this House welcomes the publication of Citizens Advice Scotland's report entitled Voices from the Frontline: Personal Independence Payments, which examines the roll-out of personal independence payment to replace disability living allowance; notes that claimants are having to wait an average of six months to receive a decision and in some cases over a year; further notes that such delays prevent people from receiving certain passported benefits, payment of some of which cannot be backdated; considers the cumulative impact of Government policy on disability benefits to have been damaging to many of the most vulnerable people in society; and urges the Department for Work and Pensions to take on board Citizens Advice Scotland's recommendations.

Total number of signatures: **25**

<http://www.parliament.uk/edm/2014-15/366>