

Conveners Group
Meeting with the First Minister
Wednesday 27 September 2023

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CONVENERS GROUP

CONVENER

*Liam McArthur (The Deputy Presiding Officer)

COMMITTEE MEMBERS

*Clare Adamson (Convener, Constitution, Europe, External Affairs and Culture Committee)

*Claire Baker (Convener, Economy and Fair Work Committee)

*Ariane Burgess (Convener, Local Government, Housing and Planning Committee)

*Jackson Carlaw (Convener, Citizen Participation and Public Petitions Committee)

*Finlay Carson (Convener, Rural Affairs and Islands Committee)

*Kenneth Gibson (Convener, Finance and Public Administration Committee)

*Clare Haughey (Convener, Health, Social Care and Sport Committee)

*Richard Leonard (Convener, Public Audit Committee)

*John Mason (Convener, Finance and Public Administration Committee)

*Stuart McMillan (Convener, Delegated Powers and Law Reform Committee)

*Edward Mountain (Convener, Net Zero, Energy and Transport Committee)

*Audrey Nicoll (Convener, Criminal Justice Committee)

*Collette Stevenson (Convener, Social Justice and Social Security Committee)

*Kaukab Stewart (Convener, Equalities, Human Rights and Civil Justice Committee)

*Sue Webber (Convener, Education, Children and Young People Committee)

*Martin Whitfield (Convener, Standards, Procedures and Public Appointments Committee)

*attended

THE FOLLOWING ALSO PARTICIPATED:

The First Minister (Humza Yousaf)

CLERK TO THE COMMITTEE

Irene Fleming

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament

Conveners Group

Wednesday 27 September 2023

[The Deputy Presiding Officer opened the meeting at 12:02]

Government Transparency and Committee Scrutiny

The Deputy Presiding Officer (Liam McArthur): Good afternoon, and welcome to this meeting of the Conveners Group. I have received no apologies. I think that we are waiting for a colleague, but I am sure that she will be along shortly. This meeting is in public, and members' microphones will be operated automatically.

I welcome the First Minister. The meeting will last around an hour and a half. We have agreed to focus on the Scottish Government's programme for government but, inevitably, conveners will want to touch on other, more general issues, so I will apply the usual leeway to allow that to happen. Some conveners have indicated that they wish to raise more than one issue. I will do my best to call all conveners at least once.

I ask for brevity, as far as that is possible, in questions and responses in order to get through as much of the business as possible and to allow for supplementary questions. As with the previous meeting with the First Minister, it would be helpful if we could start with general issues that are of interest to the committees before we move on to more specific ones that fall under the programme for government. Therefore, we will start with questions on transparency and accountability.

Committee Scrutiny

Martin Whitfield (Convener, Standards, Procedures and Public Appointments Committee): Good afternoon, First Minister. You might be glad to know that I have only one question, which means that I will take about 45 minutes over it; I think that that was the agreement. *[Laughter.]*

My question, as, I am sure, you would expect, is about Parliament's scrutiny of the Scottish Government, which you have in the past indicated that you very much welcome. I will ask in particular about the committee system that we operate here. Obviously, the committee system is the backbone of the process of holding the Government to account, including through scrutiny of bills and other items. It is the intention of my committee to look in some depth at the work of committees,

principally in relation to bills. Will you put on the record confirmation of your agreement about the importance of that element of our system? Do you have any concerns about the committee system?

The First Minister (Humza Yousaf): I thank Martin Whitfield for the question, and I thank you, Deputy Presiding Officer, for the opportunity to be here today. I will try to keep my answers brief, given that, as you may be able to tell, I am battling a serious case of the man flu. I will do my best to power through.

On Martin Whitfield's question, I am very interested in the work of his committee. Our Parliament is, of course, still a very young Parliament, and it is right that its procedures continue to evolve. In fact, since just after the summer recess there has been some tightening up of the time that is taken for questions and answers, for example, so that we can get more questions in and more scrutiny of the Government, which I absolutely welcome. We should, as a Parliament, be absolutely open to continual evolution.

As a Government, we will co-operate fully with the work of the SPPA Committee. The committee system has its strengths. We can see that in the way that the committees that are represented around this table have significantly influenced legislation—often by ensuring that the Government makes compromises, where it can. I am absolutely open to any discussions on and proposals for how that system can be improved. I can give an absolute guarantee to Martin Whitfield that when there are specifics, we will engage constructively. There might be some recommendations that we agree with and some that we disagree with, but we will be up front about that. I certainly welcome that piece of work from the committee.

Budget Transparency

Kenneth Gibson (Convener, Finance and Public Administration Committee): Good afternoon, First Minister. My question is a straightforward one regarding budget transparency. At present, during budget debates, members often quote different figures, comparing apples to oranges, on whether spend has increased or decreased. In the interests of transparency, will the Scottish Government present, alongside the Scottish budget, details of what was actually spent in the year before the current year, details of what is being spent in the current year and what the planned spending will be in the next financial year, so that Parliament can accurately compare the information?

The First Minister: I am very open to that. I think that Kenneth Gibson has made that point on

a couple of occasions, and it is a fair challenge to us. We want to be as transparent as we can. I am proud of the decisions that we have made on our budget and, particularly, on progressive taxation, so I am very open to doing what we can to publish that level of detail. Kenneth Gibson is absolutely right: transparency will absolutely help in relation to some of the arguments that are made around our budget and taxation.

Net Zero Budgeting

Edward Mountain (Convener, Net Zero, Energy and Transport Committee): Good afternoon, First Minister. Obviously, how we achieve net zero is critical to the remit of the Net Zero, Energy and Transport Committee. Can you explain how you will show the Government's aim to reach its net zero budget in a bill? When will the first bill be introduced in which that is shown in detail so that it aligns with your Government's objectives?

The First Minister: First and foremost, I say that we are, of course, committed to producing our climate change plan. We have to do that. The Cabinet Secretary for Transport, Net Zero and Just Transition stood up in the chamber last week to say that the United Kingdom Government's announcements might well have implications for when we produce that plan. We have to understand what the impact of the UK Government's announcements will be on our plans, particularly in relation to electric vehicles and the phasing out of petrol and diesel cars. The climate change plan will give some detail on how we intend to meet those targets.

On the matter of future budgets, in our budget at the end of this year, the Cabinet Secretary for Finance will make it really clear how we intend to invest in our net zero commitments that will help us to achieve our net zero targets.

Edward Mountain: You mentioned the climate change plan, and I am aware of what the cabinet secretary said last week. It was probably the most open secret in the Parliament that it would not be produced by Christmas this year, which is when it had been forecasted it would be produced. When will it be produced, and will it be in time to allow the Environment, Climate Change and Land Reform Committee to have full sight of it before it produces its annual report to Parliament?

The First Minister: It is certainly the intention to give the committee as much notice as we possibly can. I do not think that it was inevitable that the plan was going to be delayed; that is not my reading of the situation. I can see that Edward Mountain has a different view on that. In all seriousness, we have to understand the implications, particularly around the phasing out of

petrol and diesel vehicles. I think that Edward Mountain would accept that. If the UK Government takes a different position, what does that mean, for example, for the Internal Market Act 2020 or for people who purchase a car down south and use it in Scotland? What are the implications of that?

I want to say unequivocally that our position remains that we will not shy away from our commitments. We are committed to the various timetables and milestones that we have to meet in our interim targets. I want us to be seen as a climate leader. That is in stark contrast to what we saw from the UK Government last week. We have no intention of rolling back. The committee that Edward Mountain chairs does a good job of holding the Scottish Government to account on the fact that we have not met those targets recently, and that we narrowly missed the last set of targets. There is a job for us all to do to ensure that Scotland continues to show that level of leadership.

Role of Government

Richard Leonard (Convener, Public Audit Committee): First Minister, when you attended the Conveners Group in May, you said that you would

"absolutely commit to reviewing and examining what more the Government can do to be as transparent as possible."

Can you tell us three things that you have reviewed and examined over the past four months?

The First Minister: I do not have a list of the things that we have examined. One aspect that I have asked the Minister for Parliamentary Business to look at and engage with external stakeholders on is how we ensure that we meet our obligations on written parliamentary questions and freedom of information requests. There has been considerable external commentary, and internal commentary in Parliament, about what more we can do to meet those targets on FOIs. I asked the Minister for Parliamentary Business to look at that, because there was a serious need for us to do that and there were long-standing FOIs that had not been answered. I delegated that and, in fact, made a point of discussing in Cabinet how quickly we can respond to outstanding freedom of information requests and parliamentary questions.

A third thing is that I asked the permanent secretary to look at the processes on credit card purchases in the Scottish Government, given the fair bit of understandable media attention on that during the summer. That is still under way. I have had an initial response from the permanent secretary on his examination of credit card purchases from the Government and how we

ensure that we are transparent and, of course, that any spend that is made is appropriate.

Those are three areas, but I am sure that we have certainly done more in the past four months. I am happy to write to the Deputy Presiding Officer, and that can be passed on to Mr Leonard.

Richard Leonard: Last week, the Public Audit Committee took evidence from Transport Scotland on the Barry Smith KC inquiry. In the interests of transparency, will you publish today the terms of reference for that inquiry?

The First Minister: I will certainly look into whether we are able to do that. I will explore whether that is possible. I genuinely believe that we should be as transparent as we can be, particularly on the issue that Richard Leonard raises. I will certainly look into that and come back to the committee if we are able to publish the terms of reference.

Verity House Agreement

Government Accountability

12:14

Ariane Burgess (Convener, Local Government, Housing and Planning Committee): Good afternoon. My question is about Government accountability. The committee welcomes the progress that is being made towards a new deal with local government as set out in the Verity house agreement. With that significant devolution of power to local government, how does the First Minister envisage the role of national Government changing, and how will Parliament be able to hold the Government to account for delivering on shared priorities when so much decision making will rest with local government?

The First Minister: That is an exceptionally important question. I am grateful to Ariane Burgess for asking it. It was exceptionally important to get the Verity house agreement over the line in the first 100 days. I think that it is safe to say that the relationship between local government and national Government could be improved. I am pleased that the Verity house agreement is a demonstration of our collective desire to improve that relationship. I very much believe in the spheres of government, as opposed to the tiers of government, and I very much believe in “Local by default and national by exception.”

12:15

For me, there is a genuine question, which the Convention of Scottish Local Authorities absolutely accepts, about accountability and ensuring that as we loosen ring fencing, for example, there is a shared understanding of the outcomes that we each want to achieve and how each of us is held to account for achieving those outcomes. Signing the Verity house agreement was the very beginning of the process. There will now be a period of quite a number of months—it might even take years to go through it—to ensure that the appropriate mechanisms are in place to enable us to scrutinise those outcomes.

One of the key areas that we are working on with COSLA at the moment is the accountability framework, and that is very much being developed in partnership with our friends and colleagues in local government. I fully intend to share, as soon as is practical, that accountability framework with Parliament and with bodies that hold local government to account. That work is under way, and that accountability framework will be important

to Parliament's ability to hold national Government to account in relation to those outcomes.

Child Poverty

Collette Stevenson (Convener, Social Justice and Social Security Committee): Good afternoon, First Minister. I will continue to focus on the Verity house agreement—in particular, child poverty. I know that that is high on your agenda, based on the previous programme for government. How does the Verity house agreement affect the Scottish Government's approach to tackling child poverty?

The First Minister: Ultimately, we have a shared endeavour to tackle child poverty. Certainly, in my discussions with COSLA, it is an issue that is of the highest priority for that body, and we are both committed to that. That is where the accountability framework will be really important. We can all talk at very high levels about what we want to do to tackle child poverty.

The member will be aware of the four very ambitious targets on poverty that the Government has set for itself. The Verity house agreement sets out the principles of how we will collaborate to tackle poverty, and that is very much central to the Verity house agreement. COSLA and the Society of Local Authority Chief Executives and Senior Managers, which are bodies that are well known to conveners, are represented on our child poverty programme board. The accountability framework will give, in a very transparent way, detail of the outcomes that we are hoping to achieve and of how we can be held to account in relation to that. I can give absolute assurance to the member that tackling child poverty is a shared endeavour and priority between us and local government. *[Interruption.]*

It seems that my man flu may have spread, which I am sorry about.

Programme for Government

Scottish National Investment Bank

12:18

Claire Baker (Convener, Economy and Fair Work Committee): First Minister, today the Scottish National Investment Bank published its annual accounts. It recorded losses that were largely attributed to Circularity Scotland. What lessons has the Government learned about the influence of Government policy on bank decision making? When we had Willie Watt in front of the committee before the recess, he said that the bank would reflect on the process that was undertaken to give out that loan.

The First Minister: There are a number of things to unpack in that question. First, having met Willie Watt and the chief executive of the Scottish National Investment Bank, Al Denholm, I will say that I think that they are doing a very good job. It is not completely unexpected that, in this phase of the bank's life cycle, there would be a level of loss, given that one of the things that the Scottish National Investment Bank is tasked with doing is derisking investment, particularly when it comes to net zero and new and innovative technologies.

When I speak to businesses, they talk time and again about help to derisk their investments and about there being a greater appetite to share risk, which is right, particularly when it comes to new technologies. However, that has to be a calculated risk; it cannot be cavalier. I believe that the risk that was taken by the Scottish National Investment Bank was a calculated risk. The Scottish Government has to allow the Scottish National Investment Bank to use its expertise to decide where to invest the funding that it has, and the bank has done a good job in leveraging in significant private investment.

There are undoubtedly a number of lessons to be learned in relation to the deposit return scheme and Circularity Scotland. I am happy to give a detailed written response to Claire Baker, but I will say that it is a source of great frustration. I will not go over the whole history of where we are with the scheme and where we have ended up, but the Prime Minister's most recent announcements give me little hope that there will be a UK-aligned scheme by the time the UK Government has suggested, in 2025. Therefore, our scheme has been virtually torpedoed and there is no UK scheme in sight.

I think that it was right, at the time, for SNIB to invest in Circularity Scotland, which was obviously SNIB's decision to make. I am just frustrated that we have ended up in the position that we are in,

unable to take forward a Scotland-only scheme that was ready to go and which would have been helpful in reducing the litter on our streets.

Claire Baker: Thank you. The committee will follow up those questions with SNIB. The other issue in relation to SNIB is that the legislation that established the bank was clear in its expectations around gender inequality in the financial sector. The Government has a number of commitments around women in enterprise. In your discussions with the chairman and the bank, do you make it clear that the Government and Parliament expect the bank to address gender inequality, to support women in businesses and to recognise the range of businesses that women are invested in?

The First Minister: Yes. That is reiterated in most of the discussions that we have with the Scottish National Investment Bank and with other stakeholders. I was in a meeting with representatives of the financial sector as part of our financial services growth and development group. I am pleased to say that a number of women in the financial sector were represented there and, which is more important, that the group agrees that there is more work to be done in that regard.

Claire Baker will know about Ana Stewart's work on women in entrepreneurship, and we are committed to taking forward the recommendations in that excellent piece of work. We have made considerable progress when it comes to the support that we offer to women in entrepreneurship to enable them to work. That is why a key commitment of my programme for government is to ensure that we expand our childcare offer. That helps families in the round, and we also know that it disproportionately impacts, in a positive way, on women's ability to get back into the workforce, which is good for women, families and the economy.

Claire Baker: The mandate letter to Neil Gray highlighted fair work sectoral agreements. I would appreciate an update on where we are with those, particularly in retail, given that we did an inquiry into town centres.

The First Minister: Again, it would probably be better for me to write to the member to give more of the detail. That is exactly why I found it important to raise that issue explicitly in the mandate letter. That is an innovation that I have introduced to ensure that all the cabinet secretaries in my Government are focused on delivery. I know about the town centre inquiry and the report that you published at the end of last year. We are keen to continue to work with COSLA on the town centre action plan and to solidify multiyear long-term funding for town centre regeneration in Scotland. I am happy to write to the member with more detail around the specifics.

Economy and Taxation

The Deputy Presiding Officer: Sticking with the economy theme, I invite Kenneth Gibson to come back in.

Kenneth Gibson: Funding public services requires a thriving and growing economy. What is the Scottish Government's long-term economic growth strategy to deliver fiscal sustainability, in light of the huge demographic challenges that we face and the fiscal gap of around £1 billion that was highlighted by the Scottish Fiscal Commission?

The First Minister: I could spend hours answering that question. I will not, of course, as we do not have time. If Kenneth Gibson wishes to follow up on any specifics, we will always be happy to provide further detail.

Kenneth Gibson is familiar with our national strategy for economic transformation. It is at the heart of our economic growth strategy, and I made it very clear that our programme for government is anti-poverty and pro-growth. We will look to invest in a number of areas. Scotland's economic growth will be powered by our net zero opportunity; we have an incredible opportunity with renewables.

As a country, we are blessed with sectors of great abundance, such as our food and drink offer. For example, whisky exports have broken through the £6 billion barrier for the first time. Our life sciences sector is growing, and our space sector is booming. A number of industries in Scotland, including agriculture, hospitality and tourism, present great opportunities to continue along our path towards economic growth.

Kenneth Gibson is absolutely right to mention the demographic challenges, which are a source of great worry and concern. If anything gives me endless sleepless nights, it is the demographic and workforce challenge that we face. Every group to which I talk in the public and private sectors shares those concerns about the demographic challenge.

What are we doing to resolve it? There are a few things. I commend the detail of James Withers's skills review. The Government is seeking to take forward a number of the review's recommendations on skills. It will be important for us to understand the workforce of the present and that of the future, and how we will fill the gaps that clearly exist. We will continue to try to attract talent from across the UK—our talent attraction and migration service will be important in that—and, although we do not have powers over migration, we will do what we can to ensure that Scotland is as attractive a place as possible and we will work with others to put forward sensible propositions to

the UK Government on how its migration policies can better suit our needs.

Finally, on depopulation, there are areas in parts of the country such as remote, rural island communities about which we have real concern. That is why we are producing a variety of plans to tackle those depopulation issues. Housing is very much at the heart of those plans.

Kenneth Gibson: Thank you. It is a huge area. Clearly, a focus on skills, innovation, start-ups and research and development would be of assistance.

My second question is on taxation. The Finance and Public Administration Committee heard, in a pre-budget scrutiny 2024-25 evidence session, that the United Kingdom and Scottish tax systems are complex and disjointed, with no clear progressivity in either. For example, the marginal rate of tax due to the interaction of income tax and national insurance—of course, national insurance is not devolved—is higher in Scotland for someone earning £44,000 a year than it is for someone earning £54,000. What is the Scottish Government's long-term taxation policy to provide certainty for taxpayers, show progressivity and ensure that potential investors and our public services can see what the taxation policy is likely to be and therefore how it will impact on them in the future?

The First Minister: Again, there is so much to unpack in Kenneth Gibson's question. I am not convinced and certainly do not agree that we have not shown progressivity. We have a progressive tax system in Scotland and I am proud of it. Of course, we have to be mindful of national insurance contributions. Frankly, we also have to be mindful of decisions that the UK Government makes on taxation. We are alive and alert to the divergence that exists. I do not have an issue with that divergence, because it demonstrates our progressive taxation system. We have to be mindful because, if it gets to a certain point, there could be behavioural impacts that are to our detriment. We ensure that appropriate analysis and modelling is done in that regard.

12:30

I do not flinch or shy away from the values of our taxation system, which essentially boil down to this: those who earn the most should pay the most. I am not scared of unashamedly and explicitly putting that on the record, time and again. We believe in a progressive tax system. The Institute for Fiscal Studies said that, due to our tax rules and to changes that we have made to social security, households with a child that are among the 30 per cent of households with the lowest income are better off to the tune of about

£2,000. That is testament to the decisions that we have made on taxation and social security.

The question of how to provide certainty over the longer term is a very reasonable one for Kenneth Gibson to ask. It is a difficult question to answer, because, as Kenneth Gibson said in his question, some of the factors that influence what we do with taxation do not lie with us—for example, national insurance. Of course, the UK Government has its own tax policy. If it chooses to cut tax for the wealthy, as it did with Liz Truss's mini-budget, we have to be understanding and mindful of that. That does not mean that we will change course. We did not change course during the disastrous mini-budget and we were right not to.

We have to be mindful of what the UK Government does, but our central driving ethos will be to have a progressive tax system so that we can invest in our public services. The Scottish Fiscal Commission says that, because of the taxation policies that we have brought forward, we have about £1 billion to spend and invest in our public services.

European Union Law (Alignment)

Clare Adamson (Convener, Constitution, Europe, External Affairs and Culture Committee): Good afternoon, First Minister. The programme for government includes a policy commitment to align with European Union law. Previously, that commitment was qualified as "where appropriate", but it is now qualified as "where possible and meaningful". The scale of the task is very familiar to everyone sitting around the table. Our committee has published an EU tracker, which will help committees with their scrutiny process. Can you confirm that the policy commitment, as set out in the UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021's statement of policy, is that Scottish ministers' default position is to align with EU law? How will the Scottish Government support committees with scrutinising those decisions?

The First Minister: That is absolutely the policy position: alignment where possible. We have to be up front—I think that we have been—about the limitations, but we wish to continue alignment as far as we possibly can. I am happy to continue to liaise with Clare Adamson and her committee on whether there is anything further that we can do around transparency on alignment. During my recent visit to Brussels, I made it very clear to every EU official whom I spoke to that we want to continue that alignment. On the day on which Scotland rejoins the European Union, that alignment should help with the application process. I also think that it is the right thing to do because of the high standards that the EU often

applied in a number of areas. I do not want to see us move back from that one single bit.

I am more than happy to continue a discussion with the committee, if there is anything further that we can do to be more transparent on that piece of work.

United Nations Convention on the Rights of the Child

Kaukab Stewart (Convener, Equalities, Human Rights and Civil Justice Committee): Good afternoon, First Minister. The new United Nations Convention on the Rights of the Child rights will only apply to acts of the Scottish Parliament, not to Westminster legislation or any amendments that Holyrood has made since. That will put out of scope key acts, including the Children (Scotland) Act 1995 and the Education (Scotland) Act 2016. What does that mean, practically, for children in Scotland when it comes to the UNCRC bill?

The First Minister: Practically, it means that we will not be able to give them the full range of coverage that we would have hoped to give them with the incorporation of the UNCRC. There are many existing acts of the UK Parliament in devolved areas that have an impact on children's rights, which will not be subject to the compatibility duty in the bill. Of course, we had to make amendments to the legislation in a way that addressed the findings of the UK Supreme Court and reduced, as far as possible, the risk of any further legal intervention from the UK Government, while, at the same time, producing legislation that is coherent.

The practical implications of the adjustment of the scope of the duty will become clearer over time, once the bill has passed and the duty commences. From a Scottish Government perspective, we will continue to do what we can to consider ways that we can support children, young people and their representatives to understand the new laws, and to consider what can be done within that legal framework to increase its scope in the future.

Kaukab Stewart: Thank you, First Minister. I suppose that it is about looking at the scope of the duty on duty bearers and the implications for rights holders around that. What work is the Scottish Government undertaking to consider how changes to the UNCRC bill will have to be drafted into the Scottish human rights bill? What will that mean in practice for the people of Scotland?

The First Minister: That is a very fair question. Obviously, we are mindful of the judgment from the courts and the implications that it has for the Scottish human rights bill. Having spoken to eminent individuals such as Professor Alan Miller,

as I did a couple of weeks ago, I can say that there is great global interest in Scotland's human rights bill. Practically, however, we will have to consider the scope.

The duties that are currently proposed for that bill are different in nature to the compatibility duty in the UNCRC bill. They involve procedural duties, but also compliance duties, so we will have to think carefully about the implications, bearing in mind the nature of those duties. The last thing that any of us wants is to go through the bill process only for there to be another legal challenge and to risk having to go through a reconsideration phase once again. I am certain that the committee will scrutinise the bill closely, and I am happy to continue to liaise with the convener on those matters. It is fair to say, however, that we have to consider the court judgment when it comes to what we are doing in relation to the Scottish human rights bill.

Behaviour in Schools

Sue Webber (Convener, Education, Children and Young People Committee): Good afternoon, First Minister. As you are aware, the Education, Children and Young People Committee has taken a great deal of interest in behaviour in schools and has written to the Cabinet Secretary for Education and Skills on the matter, in advance of the first summit on it, which took place earlier this month. Relationships and wellbeing in our schools are important to the committee. Although we appreciate that summits are being held, what support does the Scottish Government intend to give to teachers in the meantime, in order to address the behaviour issues in our schools?

The First Minister: I am thankful for the work that the committee has done in this regard, and I thank the convener for the interest that she has shown. She is right that the Cabinet Secretary for Education and Skills has continued to take up those issues. We are liaising, as per the Verity house agreement, with our colleagues in local government to see what more we can do to support teachers and staff in relation to some of the concerning behaviour that we have seen. Sue Webber will be aware that there is concern about the possible impact of the pandemic on children and what that might have done in relation to behaviour. We are very keen to understand the reasons behind the really difficult behaviours that we are seeing and that have been the focus of political, media and press attention.

The other thing that we are very keen to do is ensure that the appropriate counselling is available and that pre-crisis interventions are accessible to every secondary school in the country. We will continue to fund those interventions in order to understand the anxieties

and concerns of our young people, which, again, I hope will help in relation to behaviours. The reason for the summit was to bring together a whole range of stakeholders, including political representatives, to see what more we could possibly do. Detailed consideration is being given to the matter.

The Promise

Sue Webber: I have another question on a slightly different topic: the Promise. What will the Cabinet sub-committee on the Promise, which was announced in the programme for government, look at? When will it meet, who will be involved in it—I apologise; there are a lot of questions here—what do you hope to see that group achieve, and when can we likely expect the Promise bill?

The First Minister: You are right: there are a number of things in that question. We have not finally determined the absolute membership of the sub-committee on keeping the Promise, but the entire purpose of that sub-committee, of course, is to ensure that we have all of the appropriate ministers, cabinet secretaries and officials around that table and a cross-Government focus on not just keeping the Promise but on delivering it.

The overarching aim will be to make sure that we keep the Promise, which is a commitment that we have made. Sue Webber is very aware of the challenge that the Promise oversight board presented to the Government. We have to make sure that we are back on track to meet not only the interim commitments but the 2030 commitment. The sub-committee will, of course, take advice from the independent adviser Fiona Duncan, for example, in relation to the Promise.

I do not have details of when the bill will be ready to be brought forward. That work is still very much under way, but I am more than happy to furnish Sue Webber with more detail on not just legislation but the sub-committee, once we have it under way.

The work on the Promise does not rely on the sub-committee being put together. We are making progress in relation to the Promise, and if we take a step back, we can see that noticeable progress has been made on it. There are fewer young people in the care system, for example, and we want to build on that. We will not necessarily wait for the sub-committee to take that action, but it will bring a cross-Government focus that, I hope, will be welcomed by all.

Child Poverty (Childcare Expansion)

The Deputy Presiding Officer: We will stick with the children theme.

Collette Stevenson: The Social Justice and Social Security Committee has just completed an inquiry into child poverty and parental employment. A welcome announcement in the programme for government was that there will be a number of measures that aim to tackle child poverty. Six local authorities are to develop childcare for children aged nine months until the end of their time at primary school; there are pilots aimed at recruiting 1,000 childminders; and there is the expansion of the eligibility of two-year-olds for early learning and childcare. Do you feel that the childcare expansion is large enough and quick enough to have an impact on child poverty?

The First Minister: That is a really fair question. I have every confidence that not just the childcare expansion but all the initiatives that we are bringing forward collectively to tackle child poverty will make a significant difference to child poverty. Figures that have been released in the past few months estimated that, through our work, 90,000 children are set to be lifted out of poverty this year. We are not complacent about that, and we know that there is more to do. We know about the serious warnings from experts that the Government needs to do more to remain on track to meet our child poverty targets, and we take that challenge very seriously.

If I combine all of the things we are doing to tackle child poverty, I am confident that they certainly move us in the right direction. That is why the budget that will be announced to the Parliament at the end of this year will have—I do not think that I am giving any surprises away when I say this—a significant focus on reducing poverty, and child poverty in particular. That will require some difficult decisions to be made around taxation, potentially, and about targeting our resources in order to ensure that we focus on those who need it most.

Online Child Exploitation

12:45

Audrey Nicoll (Convener, Criminal Justice Committee): Good afternoon, First Minister. My question follows on from the chamber debate that the Criminal Justice Committee led last week on tackling online child sexual exploitation. Stakeholders have described how the threat, complexity and severity of offending continue to grow, and have said that tackling the issue goes beyond just law enforcement.

This week, a three-day international conference is taking place in Edinburgh to consider the global prevalence of child sexual exploitation. While taking evidence, the Criminal Justice Committee heard calls for the development of a sexual harm strategy for Scotland. However, to date, that has

not been completed. Given the cross-cutting and complex nature of the issue, will the First Minister give further consideration to the development of an overarching sexual harm strategy, as highlighted by stakeholders who are working in that complex space?

The First Minister: I will absolutely give consideration to that. I know that the issue is of great interest and worry to members across the chamber, regardless of whether they are a parent. As a parent, I cannot think of anything worse than my child being exploited in that way.

I know that, during the debate last week, the minister gave detail of our multifaceted approach to tackling child exploitation and child sexual abuse. We absolutely agree that it is a complex cross-cutting issue that requires a strategic and co-ordinated approach. I am keen to work with the UK Government on the issue where we can. The UK Government and the Scottish Government have worked well together on issues such as human trafficking in the past. I am happy to explore what more we can do on that.

The member will be aware that, in August, we advised stakeholders of our intention to establish a new strategic advisory group to review and further develop our approach to preventing and tackling all forms of child sexual abuse and exploitation, including—Audrey Nicoll is very aware of this—online exploitation and abuse. The group will consider whether a national strategy would help to underpin and strengthen the work that is already under way. In short, we will absolutely give that consideration.

Proposed Agriculture Bill

Finlay Carson (Convener, Rural Affairs and Islands Committee): Good afternoon, First Minister. How will the Scottish Government achieve its vision for agriculture through the much-anticipated agriculture bill?

The First Minister: The bill is much anticipated. What we are keen to do with it is ensure that we work alongside our agricultural community to provide a level of stability. I will not go into all the arguments around Brexit, but one thing that we can probably all agree on is that being part of the European Union scheme, when we were members of the EU, allowed a level of certainty around longer-term funding that we just do not have at the moment. We will look to see how the bill can provide a level of stability around longer-term funding, which will be really important to our agricultural community.

The second area, which is of great importance to our farmers and others involved in agricultural industries, is ensuring that we create a sustainable future for farming. From 2025, in particular, how

will we use the subsidies and the payments that are made to further our collective net zero aims and ambitions? We can do that in a phased way and, as I said, we can do that in conjunction with farmers and those in our agricultural industries, as opposed to imposing it on them.

Finlay Carson is right to say that the agriculture bill is much anticipated, and to allude to the fact that it should be introduced imminently. We had a further discussion about the bill at Cabinet just this week, and it will be introduced imminently.

Finlay Carson: Thank you. A lot of the agriculture sector will take exception to the word “subsidies”. I hope that we are moving away from that word, because it is support for food production.

You touched on funding. Currently, a unique situation exists with regard to ring-fenced UK Government funding specifically for agriculture, which has been guaranteed for the past seven years. What thought has the Scottish Government given to introducing multiyear funding, as the Welsh Government has done, to protect agriculture funding, particularly given the significant role that agriculture plays currently and, more importantly, the role that it will play in delivering food security, tackling climate change and enhancing biodiversity?

The First Minister: I am in favour of looking at what certainty we can give with multiyear funding, which is necessary and required. It would give the sector a level of stability and certainty that, as I said, I am not entirely convinced it would say that it has been given since our exit from the European Union. Such funding is absolutely important, and it is absolutely an issue of consideration as we bring forward the bill.

Health and Social Care (Winter Planning)

Clare Haughey (Convener, Health, Social Care and Sport Committee): Good afternoon, First Minister. The Health, Social Care and Sport Committee recently took evidence on the national health service and social care winter planning. The importance of the adult social care workforce in winter planning was rightly emphasised by many stakeholders, officials and the cabinet secretary. The recruitment and retention of the social care workforce was raised in written and oral evidence. What work needs to be undertaken to support the implementation of the commitment to a pay uplift for the adult social care workforce, as outlined in the programme for government, and how is it anticipated to benefit the workforce in the sector?

The First Minister: Again, this is an issue of great complexity, and it is one on which, if Clare Haughey wishes, she can come back to me for

further detail. In the interests of brevity, I will try to cover just the key salient points.

Pay is an issue. Everybody to whom we talk in social care tells us that they are in a very competitive labour market and that they are often losing people from social care, particularly adult social care, to a host of sectors, from retail to the NHS. That is why it was important for me in the programme for government to signal that, from April next year, we will give a significant pay uplift. That comes on the back of the fact that we have already seen an increase to a minimum of £10.90 an hour from April of this year, in line with the real living wage rate. That minimum pay represents an almost 15 per cent increase for those workers in the past two years.

However, let me be honest: I have also heard from the sector that it feels that that pay uplift should have been made today; it should have been made at the time of the programme for government announcement. I wish that we could have done that, but, given the significant financial pressures that we are under, that was not possible. I completely understand why the sector would want us to make that investment now. I hear the sector's frustrations and even disappointment that that uplift did not happen immediately.

The other issue to point to is terms and conditions. Of course, pay is important—it is probably the number 1 factor—but terms and conditions are important, too. Clare Haughey will be aware of the fact that we have a group that is looking at fair work in social care. There are further actions that we can take in relation to fair work in social care that are really important. Career progression is also hugely important. That is why I am absolutely committed to the national care service. It is not the panacea for all the issues that we face in social care, but it will help greatly in terms of pay, terms and conditions, sectoral bargaining and ethical commissioning. All those issues will help towards having a thriving social care sector. That sector is vital. Social care is important in its own right, but we know that it is important in helping us with an NHS recovery as well.

Drug Harm

Clare Haughey: Thank you for that answer. I am going to move on to another subject. The joint committee on tackling drug deaths and drug harm met yesterday. As you can imagine, there was a great deal of discussion about the establishment of a safe consumption facility pilot, which, I believe, was approved this morning by authorities in Glasgow. Unfortunately, the Minister for Drugs and Alcohol Policy was unwell and unable to answer questions yesterday, so can you provide an update on the plans for the Glasgow city

facility? What community engagement and consultation were done before and will be done during the pilot process? Importantly—this was raised with the committee yesterday—how will the Scottish Government ensure that those with lived and living experience will be included in the development and evaluation of the pilot?

The First Minister: I thank Clare Haughey for an exceptionally important question. I saw the news today that Glasgow has approved a safer drug consumption facility. It is a decision that I very much welcome. I also welcome the Lord Advocate's most recent statement about prosecution policy in that regard. I am very grateful to Glasgow for moving at pace. Unequivocally, the Scottish Government is ready to stand alongside Glasgow City health and social care partnership and our colleagues in local government to advance that proposition as quickly as we possibly can—obviously within the confines of the proposed pilot and the statement of prosecution policy that has been received from the Lord Advocate—and that extends to, for example, how we can provide funding support for that safer drug consumption facility.

It will be for Glasgow to take forward the pilot, and, from the discussions that the Government has had with Glasgow thus far, I have no doubt that it is very mindful of the need to take the community along with it, and it will also take forward the views of those with lived experience. It is appropriate for me to pay tribute to Peter Krykant and others who have spoken about their experience and, frankly, pushed us all to take more action in the face of an unacceptable drug death crisis.

When I was in New York, primarily for climate week, I took time to speak to the Commissioner of the New York City Department of Health and Mental Hygiene, Dr Vasan. He mentioned to me that the experience of having safer drug consumption facilities in New York for the past 18 months has been that it is imperative to take the public with you as best you can. The second point that he made, which Glasgow is committed to, is that it is not just about the safer drug consumption facility but the services that are co-located and wrapped around it. New York will publish some data from the first 18 months of its safer drug consumption facility and has promised that the data will be shared with the Scottish Government. I am sure that we can then share that with Glasgow. Certainly, it seems to have been a helpful and positive experience in New York. It has been one tool as part of a wider effort to reduce drug deaths.

The Deputy Presiding Officer: We will stick with that theme. I invite Audrey Nicoll to come back in.

Audrey Nicoll: I will follow up on the question that Clare Haughey asked about the Lord Advocate's recent statement and the news today about safe consumption rooms. I also want to ask about the wider questions that have been raised about support for the people who use such a facility, particularly about their continued contact with organised crime to source their drug of use. There is consensus that a public health approach is the right approach in Scotland. However, can the First Minister outline how the Scottish Government might take account of that issue in the safe consumption room pilot to provide a holistic response that, in time, might support the elimination of the need for individuals to maintain links with organised crime to supply their drug of use? I am interested in the comments that the First Minister made about the work in New York.

13:00

The First Minister: That is an exceptionally important question to ask. I do not have the Lord Advocate's statement in front of me but, from memory, her language was very precise and focused. Of course, she mentioned that it would not be in the public interest to prosecute simple possession offences that take place during the pilot, and it is a narrowly defined pilot in Glasgow in relation to safer drug consumption facilities. The Lord Advocate made it clear that it does not impact on prosecution outwith that quite narrow definition. The serious organised crime task force's work, with which I know Audrey Nicoll is very familiar, will therefore continue to focus on those criminal gangs that seek to exploit people's vulnerabilities and that look to profit from the misery of others and the misery of communities, and I suggest that it will continue unaffected by the Lord Advocate's statement on prosecution policy.

We take a public health approach when it comes to the issue of drug deaths, but we know that Police Scotland's focus on tackling serious organised crime—credit goes to Police Scotland—has reaped many rewards by breaking up some of the criminal gangs. There is a significant amount of work still to do, however.

I go back to the point that I made a moment ago to Clare Haughey, which is that safer drug consumption facilities on their own can be helpful but that the real value comes from having access to other services. That was a really strong message from the New York commissioner.

Proposed Judicial Factors Bill

Stuart McMillan (Convener, Delegated Powers and Law Reform Committee): First Minister, you announced a bill on judicial factors in the programme for government that is based on a Scottish Law Commission report and that you

believe is likely to be a strong candidate to come before the Delegated Powers and Law Reform Committee. What benefits will that bill bring about?

The First Minister: I have been aware of the proposed judicial factors bill for a number of years. Before I get on to judicial factors, it is important to say that we have got to a better position when it comes to Scottish Law Commission bills. There was a concern about the flow of legislation from the commission through to its being passed by the Parliament, so we are in a better place. This will be the third SLC bill to be introduced in this parliamentary session.

The issue of judicial factors is not new. It has a long history in Scottish law. There is a continuing need for capable and knowledgeable expert administrators to be appointed to manage the property of those who cannot, should not or will not manage it properly themselves.

It would be fair to say that the current law is outdated. It is over a century old, with no new primary legislation specifically on judicial factors since 1889. The bill will aim to introduce a statutory framework that sets out clearly the essential features of the office of judicial factor and the broad parameters within which it should operate. It will be of benefit to all those involved in judicial factories in whatever capacity.

The Scottish Law Commission consulted on the issue and made a number of recommendations, which the Scottish Government tested in a further consultation. We are committed to introducing that bill this year.

Stuart McMillan: Thank you. On the theme of SLC bills, you are quite correct to say that this is the third SLC to come before Parliament this session, and I hope that it comes before the Delegated Powers and Law Reform Committee. Progress has been made, but can you give an assurance to the Conveners Group today that the Scottish Government will continue to introduce more SLC bills?

The First Minister: Simply put, yes, I can. We have got into a better rhythm of doing that over the years, especially since changes were made in 2013. Eight bills have been introduced since the rules were updated in that year. The Government is considering a number of other SLC reports during this session, as was set out in my predecessor's programme for government for 2021-22.

We are in a better place in that regard and look forward to continuing to work closely with the SLC and, of course, the appropriate committee.

Asylum Seekers (Concessionary Bus Travel)

Jackson Carlaw (Convener, Citizen Participation and Public Petitions Committee): Being convener of the Citizen Participation and Public Petitions Committee affords me the opportunity to bring directly to you the aims of a particular petition, and, hopefully, to banjax you into agreeing with the petitioners' ambitions. [*Laughter.*] I do that again today.

I acknowledge the statement this morning on ongoing support for asylum seekers, but we heard petition 2028 from Pinar Aksu and Doaa Abuamer—who are, I think, aware that I am raising this with you today—on concessionary bus travel for asylum seekers. At the moment, of the 6,000 asylum seekers, roughly a third are probably able to claim because they are either under 22 or over 60, but that leaves about 4,000 people who are not. I understand the difficulty when it comes to benefits, but it is a concessionary scheme, and the Scottish Parliament information centre thinks that it is entirely within the competence of the Scottish Government to extend free concessionary travel to that group.

In the 2022-23 programme for government, there was a specific reference to delivering a scheme whereby free concessionary travel would be available, but that is not in the current programme for government. We have heard from MSPs and from members of the community, who believe that an extension of that kind would be enormously valuable to asylum seekers and to their ability to live and operate in the community.

Paul Sweeney brought to the committee last week an example of one asylum seeker who required dental treatment but could not afford the bus fare and had to walk 10 miles in the rain and in pain to secure treatment that was otherwise available for him. I do not want to throw figures around, but it has been suggested that the scheme would cost about £500,000. I do not know whether that is correct but, bluntly, is that an objective that the First Minister might like to commit to being able to deliver?

The Deputy Presiding Officer: It has taken over an hour for the first banjaxing.

The First Minister: If there is one issue that I absolutely should be banjaxed into considering, that is probably a contender. We are considering that issue. I commend the petitioners: Pinar, in particular, has been a vocal advocate for the rights of asylum seekers. Jackson Carlaw's question is particularly welcome on the back of some dreadful commentary around refugees in the past 24 hours from the UK Government. Jackson Carlaw has been on the right side of issues in relation to

asylum seekers and refugees for a number of years.

In short, we are not only open to the issue but we are giving it active consideration. There are a number of complex challenges when it comes to what we are able to do in relation to asylum seekers, how they are identified and how we can make a concessionary scheme work, but those are not insurmountable if there is a desire to take forward those issues. I cannot say anything more other than it has been an issue of live discussion in government and if there is a way to do it, we will seek to do it, although that comes with some complexities that I am certain Jackson Carlaw will be aware of.

The Deputy Presiding Officer: You are on a roll, Jackson. Do you want to say any more?

Jackson Carlaw: I will treat that as a yes.

Culture (Funding)

Clare Adamson: I turn to the culture remit of our committee. In your mandate letter to the cabinet secretary, you state that Mr Robertson should

"Collaborate with Ministerial colleagues across Government to mainstream culture in policy making."

That aspiration and ambition has been around for a long time, almost since the Christie commission, and it is one that has been touched on recently, not least in the committee's "Culture in Communities" report. Do you agree that we need to see real progress in that area if we are to truly meet the ambition for cross-portfolio funding for culture? In your role as First Minister, how do you see yourself leading in that area to ensure that we meet our ambitions of being a wellbeing society and a wellbeing economy?

The First Minister: I am really grateful to Clare Adamson for asking that question. I go back to my point that the mandate letters are something that had not been done before. It can seem quite an anoraky point to make about policy development and delivery, but it is really important that it is understood: the purpose of the mandate letters is to drive forward a focus on delivery. The mandate letters were done in collaboration with cabinet secretaries, so that each cabinet secretary would be in no doubt whatsoever about my expectation, and that of the public, as regards what they should deliver between now and 2026. Mainstreaming culture must be a part of that.

I have asked Angus Robertson to consider what structures need to be put in place with fellow cabinet secretaries and ministers in order for them to equally understand the importance of mainstreaming culture in their portfolios. Angus Robertson is, in the first instance, taking forward a

number of bilaterals with, if not all, the vast majority of cabinet secretaries around that very issue of mainstreaming culture. I can say from my most recent experience as health secretary that there are huge amounts of synergy between what we are looking to do in relation to better health outcomes and culture. Social prescribing is one example of that. We had a post-Cabinet discussion on Tuesday about child poverty, and, of course, culture was a significant part of that discussion, given the excellent work that a number of cultural organisations, such as Sistema Scotland, do in relation to child poverty.

I can absolutely assure Clare Adamson that the issue is being taken forward by Angus Robertson. He has my full support to take forward those discussions with Cabinet colleagues. It is now a case of putting in place the appropriate structures to make sure that that is understood and delivered on.

Rent Control

Ariane Burgess: The programme for government sets out the intention to introduce a housing bill, which will, among other things, make provisions for long-term rent controls. The emergency measures that were set out in the Cost of Living (Tenant Protection) (Scotland) Act 2022 will have expired before those long-term measures can take effect. Tenants and landlords need certainty about what will happen in that interim period as a matter of urgency. The committee has been assured that there will be transitional provisions in place, but we would welcome the First Minister's reassurances that that clarity for tenants and landlords will be coming imminently.

The First Minister: Yes, it will be. It is an important point that Ariane Burgess raises around the need for transitional arrangements. The fear is that, when the current provisions expire, there will be a significant steep increase in rents, which is something that worries a number of private renters in particular. The committee heard from the Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights a couple of weeks ago. We are looking at options for the effective use of the regulation-making powers in schedule 3 to the Cost of Living (Tenant Protection) (Scotland) Act 2022 to temporarily reform the current rent adjudication process. That regulation-making power will be subject to the approval of Parliament. It will be crucial in allowing us to temporarily alter the rent adjudication process to prevent unintended consequences as we transition out of the emergency measures of the act.

Continued discussions with stakeholders, including landlords, will be incredibly important. We hope to be able to introduce proposals in due

course—shortly, in fact—after the current extension takes place. I again point to the words of Patrick Harvie: an adjustment to the rent adjudication process will prevent “an immediate cliff edge” when the temporary emergency legislation expires. That is absolutely right and proper. Nobody wants that kind of cliff edge for anybody who is renting in Scotland.

Children in Temporary Accommodation

Collette Stevenson: First Minister, it will come as no surprise that I will again focus on child poverty. What more can be done to reduce the number of children who are living in temporary accommodation?

The First Minister: There is a significant amount of work for us to do in relation to children who are in temporary accommodation. Unfortunately, the latest statistics show the trajectory moving in the wrong direction. That is not acceptable. We must take our share of the responsibility, which we absolutely do.

I know that Collette Stevenson will be aware of the work that we have done with the temporary accommodation task and finish group. We are committed, without any exception, to acting on the recommendations of that group. That includes investing at least £60 million for councils and social landlords to acquire properties to use as social homes; asking social landlords to increase allocations to homeless households; and supporting councils that are facing the greatest temporary accommodation pressures to develop targeted plans. We will not rest until we have made progress in reducing significantly the use of temporary accommodation because, as I said, I am afraid that the latest statistics show a worrying trend and a worrying number of families and children in temporary accommodation, which is not acceptable.

13:15

The Deputy Presiding Officer: To give colleagues time to think of any last questions that they might have, I bring in Kenneth Gibson.

Public Sector Reform

Kenneth Gibson: Thank you very much for your indulgence, Deputy Presiding Officer.

First Minister, Westminster; Holyrood; local government; health boards; community planning partnerships; integration joint boards; regional and city deals; 150 or so quangos; an increasing number of commissioners—that number will increase this very day—and a board to oversee the national care service. That is a lot for a country of 5.4 million people. What steps will the Scottish

Government take to reform and declutter that crowded public sector landscape?

The First Minister: Kenneth Gibson will be aware that the Deputy First Minister has responsibility for public sector reform. That is an important role for the Deputy First Minister, given that she has the finance brief, and that is deliberate. We are mindful of the fact that it can be quite a complex landscape for the public to navigate, so that work is being undertaken by the Deputy First Minister. She is involving all the relevant and appropriate cabinet secretaries and ministers through regular cross-portfolio meetings. We recognise that there is a need to simplify and to ensure that we are as efficient as possible, particularly in a challenging financial landscape. I also make no apologies whatsoever for ensuring that fair work is at the heart of our principles, as, that way, we will ensure that people in the public sector are paid well and paid fairly for the exceptional job that they do across the public sector.

Delivery of Manifesto Commitments in Devolved Administrations (Role of Civil Servants)

Kenneth Gibson: What discussions has the First Minister had with the UK Government on any guidance on the role of civil servants working in the devolved Administrations regarding the delivery of manifesto commitments?

The First Minister: I am certain that Kenneth Gibson will be aware of the various interventions from members of the House of Commons, members of the House of Lords and even UK Government ministers alluding to the fact that the Scottish Government should not be doing work that we have a mandate for, particularly in relation to the constitution. Since the Supreme Court judgment, we have had clear guidance from the permanent secretary around what work we can do. On 16 May this year, John-Paul Marks, the permanent secretary, told the Finance and Public Administration Committee:

“We serve the Government of the day. That includes with regard to constitutional reform. It has been well understood under devolution for many years that the civil service in the Scottish Government serves the Scottish Government and its priorities; we provide policy advice, including the development of the prospectus-paper series for the Government to set out its constitutional objectives.”—*[Official Report, Finance and Public Administration Committee, 16 May 2023; c 37.]*

Therefore, we know that our excellent civil service will, of course, work in an impartial and apolitical manner, but that it will provide assistance and support to the Government of the day for its objectives under the mandate that it has been given and the manifesto commitments that it has made. There can be no doubt or dubiety about the

fact that the party that I lead has a clear mandate for a referendum on independence, and we will continue to pursue that.

The Deputy Presiding Officer: You will not be surprised to learn that you have sparked late interest in further questions.

Education Reform

Clare Adamson: My colleague Sue Webber raised the issue of behaviour in schools. You touched on all the issues that we face post-Covid and the understanding of that that exists. Obviously, education reform is on the Government’s agenda. In the summer, as part of the festival of politics, I hosted a question-and-answer session in the chamber with Gustavo Dudamel. We had in the gallery El Sistema graduates from a number of years of the El Sistema projects across Scotland. Hearing about the inspirational transformation that that had made to those young people was simply inspiring. How will you ensure that projects that we know work and make a difference to young people will be embedded as we look to reform the education system and address some of those issues in it?

The First Minister: That goes to the heart of the work that I have asked the Cabinet Secretary for Finance, and the Cabinet more broadly, to do. The financial circumstances in which we find ourselves are very challenging. I have been in government for 11 years, and I have never seen the public finances as constrained, difficult and challenging as they are now. That is not just the case for the Scottish Government: one has only to look at measures that the Welsh Government, for example, has brought forward. I have tremendously good and constructive relationships with the Welsh Government. The fact that it has, I think, put every health board into special measures around governance and finance is a demonstration of just how difficult the financial circumstances are right across the devolved Governments.

That is why I have asked the Cabinet and the Deputy First Minister to spearhead the work around targeting to ensure that our focus is on every penny that we spend going to the people who need it most. In order to do that, we must ensure that we have the requisite data that tells us what works and which interventions help us significantly to meet our targets on poverty, particularly child poverty.

I commend programmes such as Sistema’s Big Noise. I saw Big Noise in Dundee during a visit to Claypotts Castle primary school not too long ago. I assure Clare Adamson that work is under way on which targeted interventions can help and what we need to scale up. That will involve difficult

decisions. We will get to that during the budget discussions, when there will be other things that we might not be able to do or might have to reprofile. Those will be difficult discussions, but we will not shy away from the difficult decisions, because they have to be made, given the difficult financial circumstances in which we find ourselves.

Consultants (Non-disclosure Agreements)

Richard Leonard: First Minister, last year, the Scottish Government paid £30 million to the consulting industry, which was more than in the previous four years put together. The Public Audit Committee discovered that at least some of those consultancies insist on non-disclosure agreements. Does that not prove that one member of the disbanded Council of Economic Advisers was right when she said that the consulting industry is “the Big Con” that

“infantilizes our governments and warps our economies”,

and, significantly, in the context of transparency, “obfuscates” political accountability?

The First Minister: Where I disagree with that quote is that, where we can provide the expertise within Government, we will absolutely seek to do that. That is always the default position. Where we need further expertise, we will use consultants. That is done by Governments right across the UK, whether it be the Welsh Labour Government, the Scottish Government, the UK Government or the Government in Northern Ireland. We try to limit that spend where we can. I accept that £30 million is not an insignificant amount, but it would be fair to say that it is a fraction of our resource budget. We try to limit that where we can. I would need to look at the specific details of all that spend in order to give an individual commentary on each amount that was spent.

We have a default position of not using non-disclosure agreements. NDAs are sometimes entered into where there are issues around commercial sensitivity; for example, with regard to Ferguson Marine’s shipyard. That was to protect the commercial interests of a particular entity so that it could be competitive in the marketplace. If the NDA were not there, that would potentially jeopardise that commercial sensitivity. The points that Richard Leonard makes are broadly right. Governments should be aware of and wary of their spending on consultants.

Richard Leonard: On that specific example, the NDA was insisted upon by the consultancy, not by Ferguson Marine.

The First Minister: From the detail that I have seen, the NDA that exists between Ferguson Marine and the consultants was there to protect commercial sensitivity, and the concern is that it

would work against the competitiveness of Ferguson Marine if that report was published in full. That is my understanding of the NDA between Ferguson Marine and the consultant.

When it comes to any non-disclosure agreements that we are involved in, they will often apply in relation to, for example, the sharing of sensitive material. I take the point that Richard Leonard makes through his quote, which is that we should be open and transparent about our use of consultants and the reports that they publish.

The Deputy Presiding Officer: I now have a couple of “And finally ...” questions. I suspect that Stuart McMillan’s question is on the same issue, so I will go to him first, then Collette Stevenson. You will have to be brief.

Ferguson Marine (Port Glasgow) Ltd

Stuart McMillan: My question is not about NDAs, but it is certainly about the shipyard.

First Minister, is the Scottish Government any nearer to taking a final decision on a direct award to Ferguson’s shipyard?

The First Minister: That is still under consideration.

Tackling Poverty

Collette Stevenson: First Minister, in the programme for government, you announced measures aimed at tackling poverty, such as the removal of income thresholds from the best start foods programme. However, to address the root causes of poverty, interventions are clearly required at reserved level as well. Can you elaborate on how urging the UK Government to introduce an essentials guarantee to adequately cover the cost of essentials such as food, transport and energy aligns with the Scottish Government’s mission to reduce inequality and child poverty?

The First Minister: Given the time, I will be happy to furnish Collette Stevenson with any further points of detail that she wishes to receive. The essentials guarantee is an idea that was brought forward by a number of anti-poverty organisations. The Joseph Rowntree Foundation, in particular, has called on the UK Government to immediately set the universal credit standard allowance at £120 a week for a single adult and £200 for a couple for 2023-24. According to the foundation, doing so would have real impacts on the UK population. More than 8 million families would see their income rise by an average of £48 a week, more than half of working-age families in the UK with a disabled family member would benefit, and almost 70 per cent of people in poverty—of whom three in five are already

working families—would be able to pay for essentials. It would be a significant intervention, which is why we add our weight to the voices that are calling for an essentials guarantee.

We also accept that it does not absolve us of our responsibility to use the devolved powers that we have. We have used those devolved powers—social security powers and taxation powers—to move us in a positive direction in tackling poverty and child poverty, with the Scottish child payment perhaps being the most obvious example of a game-changing intervention that can help to reduce poverty in Scotland.

The Deputy Presiding Officer: I will wind up the session there. I thank the First Minister very much for his attendance, not least because he is struggling through man flu, which I know, from personal experience, can be hugely debilitating. I hope that we can reprise this in about six months' time. We will be in touch with your office about scheduling a date for that, First Minister.

That concludes the meeting. The next meeting will be after the October recess, on 25 October. Thank you all for your participation.

Meeting closed at 13:29.

