

# **EQUAL OPPORTUNITIES COMMITTEE**

Tuesday 15 January 2008

Session 3

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## EQUAL OPPORTUNITIES COMMITTEE

### 1<sup>st</sup> Meeting 2008, Session 3

#### CONVENER

\*Margaret Mitchell (Central Scotland) (Con)

#### DEPUTY CONVENER

\*Elaine Smith (Coatbridge and Chryston) (Lab)

#### COMMITTEE MEMBERS

\*Marlyn Glen (North East Scotland) (Lab)

\*Bill Kidd (Glasgow) (SNP)

\*Michael McMahon (Hamilton North and Bellshill) (Lab)

\*Hugh O'Donnell (Central Scotland) (LD)

\*Sandra White (Glasgow) (SNP)

\*Bill Wilson (West of Scotland) (SNP)

#### COMMITTEE SUBSTITUTES

Claire Baker (Mid Scotland and Fife) (Lab)

Jamie Hepburn (Central Scotland) (SNP)

Mary Scanlon (Highlands and Islands) (Con)

Jim Tolson (Dunfermline West) (LD)

\*attended

#### THE FOLLOWING GAVE EVIDENCE:

Karen Carlton (Commissioner for Public Appointments in Scotland)

Shona Robison (Minister for Public Health)

Peter Reid (Scottish Government Primary and Community Care Directorate)

John Storey (Scottish Government Primary and Community Care Directorate)

#### CLERK TO THE COMMITTEE

Terry Shevlin

#### ASSISTANT CLERK

Roy McMahon

#### LOCATION

Committee Room 2



## Scottish Parliament Equal Opportunities Committee

Tuesday 15 January 2008

[THE CONVENER opened the meeting at 11:02]

### Decisions on Taking Business in Private

**The Convener (Margaret Mitchell):** Good morning, everyone, and welcome to the first meeting of the Equal Opportunities Committee in 2008. I wish everyone a happy new year. I hope that it will be a varied and productive year for the committee.

I remind all those present, including members, that mobile phones and BlackBerrys should be switched off completely, as they interfere with the sound system, even if they are switched to silent.

Agenda item 1 is a decision on taking business in private. Do members agree to take item 5 in private?

**Members indicated agreement.**

**The Convener:** Agenda item 2 is consideration of whether to take approach papers on age, carers and female offenders in private at future meetings. The idea is that taking those items in private will allow us to discuss freely the various individuals and groups that we might wish to invite to speak to the committee. Are we agreed?

**Members indicated agreement.**

## “All Our Futures: Planning for a Scotland with an Ageing Population”

11:03

**The Convener:** Agenda item 3 is consideration of the Scottish Government’s strategy document “All Our Futures: Planning for a Scotland with an Ageing Population”.

I am delighted to welcome Shona Robison MSP, Minister for Public Health, and John Storey and Peter Reid, from the Scottish Government’s older people and age team, to the committee to give evidence. I invite the minister to give a brief opening statement before we move to questions from members.

**The Minister for Public Health (Shona Robison):** Thanks very much, convener. It is a pleasure to be here, and I welcome the opportunity to speak to you about “All Our Futures: Planning for a Scotland with an Ageing Population”. In my letter of 28 September, I offered to come and speak to the committee about the strategy, and that is why I am here today.

First, “All Our Futures” was the result of extensive consultation with older people and their representative organisations, therefore it represents older people’s views in a unique way—it really reflects what they want. It seeks to celebrate the fact that more people are living into older age—in many cases they are fit and healthy—and that they have a significant contribution to make to life in Scotland today. Consequently, it is bipartisan in the best sense of the word.

“All Our Futures” was, in many ways, the work of Jess Barrow of Age Concern Scotland, who was seconded to the Scottish Government for the duration of its preparation. Jess was a visionary who could articulate the views of older people in a passionate way and could see far better than many the contribution that older people can make to life today. You will be aware that Jess died last March, shortly after “All Our Futures” was published. Today, I pay tribute to the work that she did, along with others, in completing “All Our Futures”.

Secondly, as we take forward the implementation of “All Our Futures”, we are working closely with Age Concern Scotland, Help the Aged in Scotland, the Scottish Pensioners Forum, the West of Scotland Seniors Forum, the recently formed Scottish seniors alliance and other groups that represent older people.

Thirdly, the context in which “All Our Futures” is set has changed since May. We have a new

Government with five strategic objectives for a greener, healthier, safer and stronger, smarter, and wealthier and fairer Scotland. It is interesting to see how many of them are directly relevant to older people. The objective of a healthier Scotland is clearly relevant, but the objective of a safer Scotland reflects community safety concerns, and the objective of a wealthier and fairer Scotland reflects the issue of income maximisation, which is of great concern to older people. Also, the Scottish budget, which was announced on 14 November, included a number of announcements that were relevant to older people, not least the announcements regarding the freeze on council tax, the uprating of free personal and nursing care—for the first time—and the commitment to improve support for people with dementia.

However, if the context in which “All Our Futures” is set has changed, it is testimony to its enduring nature that it is still very relevant. We have made it plain that we endorse “All Our Futures” as an evidence base and a clear strategy for the future, and that we support its overall conclusions.

We have already made a start on implementing “All Our Futures”. In responding to the issues that were raised in the consultation process, we have worked with others to set up the Scottish centre for intergenerational practice, which recently issued its first newsletter and is running introductory roadshows across Scotland in February and March. We are setting up the national forum on ageing, and I expect to chair its first meeting on 21 April. We have also started work on a campaign on ageism and positive attitudes to old age.

Those comments touch on some of the headline commitments in “All Our Futures”. I am happy to answer questions on them and to provide further information.

**The Convener:** Thank you, minister, for that very full opening statement.

“All Our Futures” contains six strategic priorities and a 47-point action plan detailing various specific spending commitments. You have confirmed that the Scottish Government supports the overall conclusions in the strategy. However, for the record, are there any significant new measures that the Scottish Government also intends to implement, and are there any specific existing measures that you do not now support?

**Shona Robison:** As I said, we support the overall strategy and we will take it forward. In my opening statement, I mentioned some of the new measures in the budget—the freeze on council tax, the uprating of free personal and nursing care, and the commitment to improve the support for people with dementia. Those are important issues that affect older people in particular.

I also highlight two additional measures. The first is the support that is being made available for carers, which features prominently in the concordat and is relevant given the fact that so many carers are older people who are caring for partners and relatives. The second measure relates to kinship carers. You will be aware of the announcement that was made at the end of last year of more support for the many grandparents who have ended up in a parenting role for the second time.

Those measures are additional to the ones that are outlined in “All Our Futures”. We do not intend not to do any of them, but we may do some of them slightly differently. For example, in honouring our commitment to increase volunteering among older people, we will want to use a range of providers and organisations. We will discuss with the national forum on ageing, as the implementation organisation, how we should do that, rather than just do it through ProjectScotland, as is indicated in “All Our Futures”. The central point is that we are going to take forward “All Our Futures” as was envisaged, although we might do so in a slightly different way for some aspects.

**The Convener:** That is helpful.

In her opening statement, the minister mentioned the various roadshows that are taking place. I notice that no roadshows are planned for Edinburgh or Lanarkshire. How were the areas chosen? Did people have to apply?

**Peter Reid (Scottish Government Primary and Community Care Directorate):** To which roadshows are you referring?

**The Convener:** The minister mentioned various roadshows in her opening statement.

**Peter Reid:** The folk who are involved with the Scottish centre for intergenerational practice have developed the roadshows. I am not sure why Edinburgh is not included. I can feed that point into the process.

**Shona Robison:** If members think that there should be a wider range of venues, we can feed their comments back to the centre. It is early days for the centre, which is feeling its way and is trying to speak to as many people as possible. The centre will visit not only the places that have been mentioned—there will be more visits.

**The Convener:** It would be helpful if you fed our comments back to the centre. Lanarkshire seems to have been left on the periphery. People can go to roadshows in Glasgow or other places, but it would be nice if Lanarkshire was considered for a visit, as it has a big catchment area. The same applies to Edinburgh, if no roadshow is planned for it.

**Shona Robison:** We will feed that point back to the centre.

**Hugh O'Donnell (Central Scotland) (LD):** The strategy is detailed and complex. Who has overall responsibility in the Government for ensuring that it is implemented? Are there timelines for actioning particular strands of the strategy?

**Shona Robison:** The answer to the first question is me, but not me alone. I have lead responsibility, but because much of the work spans a number of ministerial responsibilities, there is collective responsibility for meeting the commitments in the strategy.

The member asked about timelines. Work to establish the national forum and the centre for intergenerational practice is under way. Some of the more practical aspects of the strategy had to be implemented in a short time. Unfortunately, tackling ageism in our society will be a longer-term goal. We will not change attitudes overnight. However, the centre for intergenerational practice has the hugely important role of examining how we can get younger and older generations to work together and to share skills and experience in the workplace and other settings, and how we can use the campaign against ageism to change both younger people's attitudes to older people and older people's attitudes to their own limitations. A lot of work will be taken forward in the short term, but we are seeking long-term outcomes that require cultural and attitudinal changes.

**Hugh O'Donnell:** Rightly, you mentioned the diverse spread of "All Our Futures" across ministerial portfolios. You have indicated that you will be the lead minister on the strategy. Do you have or intend to put in place a system to bring ministers together periodically to discuss the progress that they and their departments are making or can make? Will there be short to medium-term reviews of the progress that each minister is making in their portfolio?

**Shona Robison:** The national forum on ageing is the implementation group that will act as a champion and provide direction for "All Our Futures". It may sometimes be appropriate for other ministers to meet the implementation group to discuss how they are taking forward specific aspects of their portfolio. Ministers often meet to discuss and provide progress reports on issues. It would be sensible for "All Our Futures" to be subject to that process at some point, so that we can look at where we are going, what progress has been made and what more we need to do. We can certainly commit ourselves to doing that.

11:15

**Michael McMahon (Hamilton North and Bellshill) (Lab):** The strategy outlines a 12-point

vision of how its success can be measured. However, to the reader, some of the points are aspirational. For example, the strategy says:

"the contribution of older people ... is valued, appreciated and where necessary supported"

but it does not say how it will be supported. It also envisions a Scotland in which

"Vulnerable older people are protected, safe and are free from"

harm, but it does not say how that will come about. What progress has been made on devising more specific indicators to measure whether progress is being made on those aspirations?

**Shona Robison:** You will be aware that one of the commitments in the strategy is to

"work with the National Forum on Ageing to develop measures to monitor progress in all sectors toward the strategic outcomes."

Indicators were recognised as necessary, and we hope to start work on them soon. We have been waiting—sensibly—for the outcome indicators that underpin the concordat with local authorities. It makes sense to develop those measures together, because a number of the outcome indicators will be relevant to this work and vice versa.

I have a couple of points beyond that. First, whatever indicators are used to monitor progress, we should use statistical information that has already been collected rather than try to collect a load of new information. There is a lot of statistical information and we must ensure that we use the right statistics on the key aspects of life when we develop the indicators. Secondly, the indicators that are used for "All Our Futures" should relate to the outcome indicators that we have been developing for the concordat—we should ensure that they match up. Early work has been done on that. That is the context in which the indicators will be developed.

**Michael McMahon:** I am a bit confused. If I heard you right, you said that you will use the information that you have, but you do not want just to keep collecting information. However, if you do not collect information, how will you know whether progress is being made?

**Shona Robison:** The point that I was making—perhaps not as well as I could have done—is that the Government collects a range of statistical information and the information that we need to measure progress is among it, but we need to ensure that we choose the right indicators. We do not need to collect a load of new statistical information, because it is already available, but we need to decide which indicators we will use and draw on the available statistical information to monitor progress.

**Michael McMahon:** However, when the outcome agreements have been drawn up, local authorities will have to provide evidence that they have made progress.

**Shona Robison:** That is why the indicators need to match up. A number of indicators that are relevant to the work of “All Our Futures” are already within the concordat, so match-up is important.

**Michael McMahon:** The introduction to the strategy states:

“The evidence gathered and the issues raised will form the basis for reflection, debate and forward planning in all sectors in Scotland.”

To what extent has the strategy already influenced the planning of services for older people in the public and private sectors?

**Shona Robison:** We have seen the influence that it has had in the public sector. The policy direction for our Government draws on “All Our Futures” and looks at the priorities for the work on older people. That is happening in a lot of other directorates as well as in health. Within the public sector, the strategy is already influencing the direction of policy and priorities.

The private sector is a bit trickier. Obviously, we can lead by example and give support. The centre for intergenerational practice needs to make links to the private sector, examine workplaces and work with employers on implementing best practice. The national forum on ageing will want to reflect on how we link in with the private sector and ensure that best practice is followed in all sectors, not only the public sector.

**Michael McMahon:** In your introductory statement, you said how important it is that we tackle ageism. The first figure in the summary of “All Our Futures” is of particular interest to the committee, because it clearly exemplifies the problem that life expectancy in Scotland for males is 74, while for women it is 79. What will the strategy do to address that inequality?

**Shona Robison:** The reasons for that difference might be historical, such as our industrial past and the working lives that men had. Given that the nature of work has changed over the years, the gap might close naturally. On life expectancy, I want to focus our attention on the health inequalities between parts of Scotland—the fact that where a man or a woman lives is more important to how long they live. That is an important aspect of the Government’s work.

I chair the task force on health inequalities, which will report to the Cabinet in about April. We must ensure that life expectancy is not dictated by where people live. A big piece of work needs to be done on that. Good work is being done—for

example, “Better Health, Better Care” contained a chapter on the need to reduce health inequalities, and work is being done under the keep well programme—but we need to do more, and we are determined to do it.

**The Convener:** One factor is where people live, but is another the fact that males are reluctant to go to the doctor with initial symptoms? A case in point is that many needless deaths from prostate cancer could be avoided by going to the doctor a little earlier. Is there an issue of raising awareness?

**Shona Robison:** Absolutely. Through our public campaigns, such as that on prostate cancer, we need to encourage men to access the health service, because we know about that issue. That work is important and we want to develop it. However, I cannot stress enough the fact that a man from a deprived area is likely not only to approach the health service later but to have several co-morbidity issues—other underlying health factors that make the prognosis for a serious illness worse, because they hamper recovery. That is a double whammy—a person presents late with a serious illness and has several problems that reduce their chance of recovering. Much work needs to be done, and we are determined to take it forward.

**The Convener:** Will those issues influence any possible campaigns? Are campaigns in particular areas more likely to be triggered than general awareness campaigns about life-threatening diseases for males?

**Shona Robison:** We are already working through the keep well programme to find people who are hard to reach and who do not regularly access the health service, and groups in communities that have co-morbidity issues and lifestyle factors that we need to address. That proactive use of the health service, which encourages people by knocking on their doors, inviting them into the health service and giving them health checks to identify health problems before they become big, has been successful. We are determined to extend that model to other parts of Scotland, to ensure that deprived communities that are not benefiting from the programme can benefit from it.

**The Convener:** Are you confident that that approach to the problem will leave no one out?

**Shona Robison:** If we get the approach right and if health boards get it right locally, we should reach out to the people who are least likely to access the health service proactively. If we do that, the programme will be a success.

**Hugh O’Donnell:** Is that prioritisation reflected in expenditure plans in the areas that we are talking about? Will you give us an example of that?

**Shona Robison:** The subject is prioritised in "Better Health, Better Care". The budget gave a large increase to tackling health inequalities, health improvement and the commitment to extend the keep well programme. The commitment to tackle health inequalities and improve health is reflected in the budget. Allied to that is the fact that some chronic problems, such as issues of alcohol use and smoking, are more pronounced in more deprived communities.

You will see from the budget that the increase in funding is reflected in the allocations, which will allow us to do some of the brief interventions that work well. General practitioners can take the opportunity to address people's alcohol intake when they are in for something else. We want such simple yet effective interventions to be developed in the health service.

**Marlyn Glen (North East Scotland) (Lab):** The committee understands that a national stakeholder event on the strategy was not held last November as planned. Will it be rescheduled?

**Shona Robison:** We intend to hold the event or events in 2008. Rather than having one big national event we are considering holding a number of regional events, so that we reach out to more people instead of expecting everyone to travel to one point in Scotland. We are considering where the regional events will be held and how we can ensure that we maximise the input from older people at them. We are considering how to take that forward. The process will begin in 2008 and the regional events will conclude in the summer or autumn.

**Marlyn Glen:** So you do not have a date yet. I understand your point about people travelling. The Equal Opportunities Committee is good at travelling out to meet people, but on the other hand there is something to be said for a national event. For example, the event that we held in the Parliament got a lot of publicity.

**Shona Robison:** We might consider that for the future, but the evidence suggests that we will reach out to more people by having a more accessible event that does not require older people, who may, for example, be infirm or have caring responsibilities, to travel. It is easier for them to get to an event if it is held closer to home, but that does not preclude us from holding a national event in the future.

**Marlyn Glen:** A national event should still be held, because a difficulty with regional events is that it is impossible for them to cover everybody's area.

**Shona Robison:** That is true.

**Marlyn Glen:** Does the Scottish Government still intend to report regularly on the strategy to the

Scottish Parliament? If so, when will the first report be made?

**Shona Robison:** Yes, we want to do that. We think that every two years might be appropriate, but I am happy to hear what the committee thinks. Our current thinking is that we want to produce the first report in the autumn of this year, because by then a reasonable time will have elapsed to enable us to report on progress. I am interested to hear whether the committee thinks that it has a role as part of the reporting to Parliament. Previously, a written report would have been lodged in Parliament, but it does not have to be done in that way. If committee members think that there is a better way of reporting to Parliament, I am willing to take their views on board, whether they want to give them to me today or reflect on the matter and give them to me later.

**Elaine Smith (Coatbridge and Chryston) (Lab):** The suggestion that we should consider different ways of reporting is welcome, and I am sure that the committee will reflect on the issue.

I come back to Marlyn Glen's comments about the regional events. Regional events that involve as many people as possible are welcome, but I feel strongly that such an approach will be more effective if it culminates in an event in the Parliament. Perhaps the regional events could send representatives to the event in the Parliament. That might help to inform Parliament. I do not know whether the event would be annual, but even as a one-off it could help to inform Parliament in reporting on the issue.

**Shona Robison:** I will reflect on that suggestion and see whether we can build it in.

**The Convener:** Thanks, minister.

**Sandra White (Glasgow) (SNP):** I will raise a couple of issues that relate to Marlyn Glen's question. It is an excellent idea to hold regional events. It would also be good to have a national stakeholder event, at which I would like not only the usual suspects to be in attendance. That is always a problem in national events, and it is important for such an event to include other people. It might be a good idea to hold the national event after the regional events.

The committee can consider whether to make a report to Parliament: could we produce one that could be questioned rather than just laid?

I concur with and echo the minister's comments about Jess Barrow, with whom I worked closely on the cross-party group on older people, age and ageing. She is very much missed and was a wonderful person.

I have a couple of questions on funding for the strategy. There has been lots of talk about the comprehensive spending review allocation. Does

the Scottish Government's spending review document make any significant changes to the resources that will be available over the next three years to support the strategy? As the minister mentioned in her opening remarks, the strategy talks a lot about issues such as volunteering by elderly people, kinship care and so on. Will there be any changes up the way, rather than down the way?

11:30

**Shona Robison:** I will respond to that question after I have commented on the first two points that Sandra White made. First, there is a balance to be struck between holding local events and reaching out to a wider group of people. I take the point that we might also need a national event. I quite like the idea that regional events might lead to a national event—I will consider that. Secondly, we will look at how feedback on the report might be structured so that we can allow more dialogue on the report, rather than present it on a take-it-or-leave-it basis.

On the finance for the strategy, it might assist members if I run through some of the headline financial issues in "All Our Futures". On fuel poverty, members will be aware that we recently announced an additional £7 million for the current financial year, which will mean that, in 2007-08, £16 million will have been provided in addition to the baseline budget for tackling fuel poverty. From 2008 onwards, the baseline budget for that will be maintained at the previous levels for three years.

The sum of £200,000 has been committed to the helpline for older people and we have committed £100,000 for the national forum on ageing. Not all that money may be required, but it has been committed. The campaign to combat ageism has been allocated £750,000 over three years. We are currently considering the key messages of that campaign and how they might be implemented.

Some £200,000 has been allocated for the national care standards, on which work is well under way. As members may recall, that work is on enhancing the public's understanding of what people can expect under the standards. That is important because older people and their relatives often do not know what they can expect from a care home under the national care standards. It is important that we communicate that.

We are committed to improving care, support and protection for older people who need them—a one-off allocation of £2 million was given for that in 2007-08. I can confirm that that work is being taken forward in the current financial year, although it may spill into the next financial year. The work is focusing on telecare development, which is an important aspect of helping people to remain in their own homes for as long as possible.

I hope that that gives some indication of the headline financial issues in the strategy that we are continuing to fund.

**Sandra White:** That was helpful. Will the funding commitments in "All Our Futures" be continued by the Scottish Government?

**Shona Robison:** Yes.

**Sandra White:** There are questions about advertising and so on, but I will not go into that as other folk want to ask about that.

As we are all aware, the First Minister of Wales recently announced the appointment of a commissioner for older people. Does the Scottish Government believe that there is a case for a similar appointment? Could that work be done instead by someone in the voluntary sector?

**Shona Robison:** The issue is topical. We will keep it under review—we need to see how some of the new bodies work out. Members will know that the Commission for Equality and Human Rights was established in October 2007. Its responsibilities cover all six equality strands, including age. We also have the Scottish Commission for Human Rights, which will raise awareness and promote the human rights of disadvantaged groups. We are keen that there should be no duplication.

The national forum on ageing has an important role in the implementation of "All Our Futures". It will consult older people throughout Scotland and will keep the communication channel open so that it can pick up people's views.

I am not closing the door for ever and a day on what Ms White suggests, but a lot is happening and it would be wise to wait before assessing whether there are gaps.

**The Convener:** Has there been a tendency to appoint commissioners despite the voluntary sector's being more than able to carry out their remits? In some cases, the voluntary sector might have been better placed to do such work because of its flexibility and expertise.

**Shona Robison:** It is true that the landscape of public services has become overcomplicated in recent years and that it has to be simplified. That is another reason not to rush into establishing another commissioner when the work could be done by another body. We have to take time to consider the issues.

**The Convener:** That approach is welcome.

**Hugh O'Donnell:** There are priorities to be considered and strategic action will include improving opportunities and removing barriers. Both are important: what weight has the minister's department and the Government put on them?

**Shona Robison:** Are you talking about changing attitudes among younger people? If we are to change attitudes in society, we have to change the attitudes of the younger generation towards the older generation, which they will inevitably join at some point. The new Scottish centre for intergenerational practice will present an opportunity to challenge attitudes and change them. As we said earlier, that will be a long-term objective. The centre will also promote positive images of older people. The anti-ageism campaign will send a message to older people themselves about their life chances and opportunities. In work, leisure and health, older people should expect more. Their expectations are rightly higher than those of the previous generation of older people.

The two strands—improving opportunities and removing barriers—are of equal importance if we are to shift attitudes on what it means to be an older person in Scotland in the 21<sup>st</sup> century.

**Hugh O'Donnell:** Will the funding that you have described be divided equally between the two strands?

**Shona Robison:** We are still working out what the key messages of the anti-ageism campaign will be. We will challenge attitudes and assumptions about older people and we will promote positive images. A balance will need to be struck in respect of how the £750,000 will be spent. It is important that the messages are the best messages—the ones that will have the best effect in changing attitudes. Obviously, we are taking professional advice on what will work, or what is most likely to work.

**Hugh O'Donnell:** You confirmed that work is under way on the commitment to set up a national forum on ageing. I seek detail on the exact role of the forum. Who is represented on it? How were they appointed or selected? Finally—once again, we are back to the money—will you make available long-term funding to support its work? If so, for how long will the funding be made available?

**Shona Robison:** As I said earlier, we are in the process of setting up the national forum, which I have agreed to chair. Given that it is an implementation group, its members will be hands-on. It will act as a champion in taking forward the strategy. Membership will include four older people, two of whom will be nominated by the older people's consultative forum. We will try to draw the other two people from sections of society that are underrepresented. The forum will include representatives from the Convention of Scottish Local Authorities, the Scottish Federation of Housing Associations, the Association of Directors of Social Work, the Association of Chief Police Officers in Scotland, the councils for voluntary service, Age Concern, and Help the Aged. We

remain committed to the older people's consultative forum. Its range of representation is wider than that of the national forum. I chair the older people's consultative forum, which meets approximately quarterly. That forum provides an opportunity for direct dialogue on issues of the day that affect older people. As I said, the national forum is an implementation body; it is not the forum for those wider discussions.

The national forum has strong representation from service providers. We need them to be at the table because the forum is primarily about implementation and service providers are the ones who get on with that job. As I said, the membership has to have a balance between service providers and older people. Obviously, if we find that we have not got the balance right, we will revisit the membership.

**Hugh O'Donnell:** What about funding?

**Shona Robison:** The commitment is to provide £100,000 for the first year. We will seek to continue funding by way of a grant, although we will need to ascertain the forum's on-going running costs. At present, I do not have accurate information on that, and will not until the forum is up and running.

**Hugh O'Donnell:** Given that the strategy is in part on the intergenerational nature of things, have you considered having younger people on the forum?

**Shona Robison:** I have not considered that, but that idea is not unreasonable. As I said, once we get around the table and have our first couple of meetings, it may become apparent that voices that should be at the table are missing. I am willing to reflect on the idea.

**Bill Wilson (West of Scotland) (SNP):** What exactly will the Scottish centre for intergenerational practice do and how will it fit in with the national forum on ageing? How will it ensure that best practice is shared across different communities and organisations, including schools and local authorities? Finally—of course—I turn to the money. Will long-term funding be made available?

**Shona Robison:** I will give some of the background. The centre is rapidly coming together and has just published its first newsletter, which I think the committee has seen. It is based at Children in Scotland's office and its director is Brian McKechnie, of the University of Strathclyde. Its priorities are to develop a website with materials that are accessible and usable by all and to run introductory roadshows across Scotland in February and March. Part of the aim of the roadshows is to find out what future activities people want the centre to do. It is a bit of a moveable feast. The centre is keen for its work to

be directed by its users and potential users as far as possible.

11:45

The centre will work with the public, private and voluntary sectors as well as individuals and families. As was rightly said, part of the work will be to gather and share best practice and to examine new opportunities for intergenerational working in communities, the workplace and wherever else is appropriate. The centre is still considering how that can best be done. Its roadshows will inform its decision making. It is early days, and the centre still has to establish a lot of the detail of how it will work in practice. I do not think that it wanted to be prescriptive until it started to talk to potential centre users.

On finance, there is a commitment of £200,000 for the first year for the centre to develop the work, and—

**John Storey (Scottish Government Primary and Community Care Directorate):** Continuing in subsequent years.

**Shona Robison:** Thank you, John. That funding will continue in subsequent years.

**Bill Wilson:** I have a couple more questions. I know that one area was mentioned and, from looking at the list of roadshows, I notice that Renfrewshire is not on the list. I take the opportunity to point that out while I am speaking.

As a large employer, how does the Scottish Government propose to promote the need for older and younger staff to share skills, experiences and knowledge?

**Shona Robison:** You are right that there is an opportunity to lead by example, and the Scottish Government as a large employer has a duty to do so. It has an equal opportunities policy that aims to tackle discrimination and unfair treatment on the grounds of age, disability, gender, race, religion, belief or sexual orientation. There is also the age positive campaign, which promotes the benefits of employing a mixed-age workforce that includes older and younger people. It encourages employers to make decisions on recruitment, training and retention that do not discriminate against people on the basis of their age. The campaign uses publications, research, the press, events and reward initiatives to get the message across.

There is also a dignity at work policy to ensure that all members of staff can work in an environment that is free from bullying, harassment, discrimination and victimisation, so that people feel safe and secure at their work.

**Bill Wilson:** Part of the aim is to ensure that younger and older staff share skills and

experiences. I am curious about how the Scottish Government is developing its techniques and measuring their success. I appreciate that you will almost certainly not be able to answer that question now, so perhaps you could come back to the committee. I would be interested to know how you measure success and check that the work is happening at all.

**Shona Robison:** That will be done through staff survey feedback, which monitors how staff feel at their work, and issues that are raised through the normal disciplinary and grievance procedures, which would begin to show a pattern if there were particular problems. Bill Wilson is right that the work perhaps needs to be more systematic—I can certainly come back to the committee with more details if that would be helpful.

**Bill Wilson:** That would be interesting.

Assuming that the Scottish Government is successful in ensuring that younger and older staff share their experiences and knowledge, how will you encourage other employers to do likewise? How will you encourage other employers to provide better pension and financial planning advice? Employees frequently lack such basic advice.

**Shona Robison:** Again, it is a matter of leading by example. We can obviously share good practice with the organisations that we are directly responsible for and those that are at arm's length and follow public sector policy.

We can act as an exemplar to the private sector through, for example, the Investors in People initiative, whose continuation was confirmed just before Christmas and which is about sending a message to the private sector about best practice. That can lead to a benefit to private sector employers—if people stay at their work for longer because pension and retirement plans are more flexible, the employers do not lose their skills and experience. More basically, if the workforce is happy, productivity will be better—I have always subscribed to that very simple fact of life. Many good private sector employers also lead by example, which is important because a private sector company might relate better to the practice of another private sector employer. It is important that we encourage the best employers in the private sector to talk about and promote their practice to other employers.

**The Convener:** You mentioned that people are increasingly working past 65 and that one way to encourage them to work would be to offer more flexible pension arrangements. Can you think of any other flexible arrangements to encourage such people to go on working so that there is no burn-out at retirement age? Given that many people find it hard to adjust to retirement from

working life, how could the strategy encourage, for example, phased retirement, retirement planning or other good human resource practices?

**Shona Robison:** A number of flexible working arrangements are in place in both the public and private sectors that allow employees to arrange their working week around child care or other caring responsibilities. As people get closer to retirement, they might also wish to work fewer hours. I made the point to Bill Wilson that if employers get better at providing such arrangements they will find that they lose fewer members of their workforce and will hang on to their skills and experience for longer. Phased retirements, in which retirement is not all or nothing, and other such practices should be encouraged. All we can do is to lead by example, promote good practice and encourage other organisations to do so.

**The Convener:** Is awareness being raised to promote good practice and to give examples of it to encourage employers?

**Shona Robison:** I think that it is. I am sure that some private sector organisations are probably doing that, too. I would like to think that they are: if they are not, they should be. We need to get across the message that it is a win-win situation for the employer.

At the tougher end of the scale are the Employment Equality (Age) Regulations 2006, which make it unlawful to discriminate on the ground of age in employment or vocational training. It is early in terms of finding out whether the regulations have had any impact; although it is a reserved matter, we are watching it closely. Relatively few cases have gone to tribunal, but that option exists as a stopgap for people who want redress. It is far better to solve problems by changing attitudes—including those of employers—than by having recourse to law.

**The Convener:** It is more effective to encourage best practice than to leave it on a voluntary basis.

Older people are now a powerful consumer group—we have seen their needs being catered for carefully in the private sector through user-led and co-designed products. Has the Scottish Government looked at that trend? Are there lessons to be learned from older people in respect of delivery of public services?

**Shona Robison:** I am sure that there are lessons to be learned. The point that John Storey has just made to me is that action plans such as “Better Health, Better Care” are relevant in this context as they allow us to lead by example. I am sure that we can learn lessons and we are happy to do so. Perhaps we need to do more work on that.

**Bill Kidd (Glasgow) (SNP):** The strategy makes provision for £0.75 million—I think you said that it is over three years—for an advertising campaign to portray more positive images of older people. When will the campaign be launched? At whom will it be targeted? Will it be targeted at older people themselves, or at employers and local authorities? Will it make it clear that some people can work past retirement age and encourage employers to keep such people on?

**Shona Robison:** The money will be over three years, subject of course to approval of the Scottish budget, about which we are confident. Work is under way with the Newhaven Agency on developing the campaign, which will have two prongs: tackling ageism and ageist attitudes and promoting positive images. There is still work to be done on what direction the campaign will take. For example, will it use YouTube or other tools that young people use to get messages across and to challenge some of their attitudes about older people? We need to think a bit differently. There is still a role for mainstream television or radio adverts, billboard posters and so on, provided that we get the message right, but we have also to be a bit more inventive and use tools that are effective in reaching a wider audience. Young people in particular use certain sites on the internet and we need to get smarter at ensuring that we are tapping into such resources. Work on that is under way.

**Bill Wilson:** Sometimes with big expensive campaigns the data are not gathered in advance of or during the campaigns to ensure that they work and to identify which parts are not operable. I seek reassurance that the campaign has been well thought out in advance and that the data will be gathered before and during it.

**Shona Robison:** I can certainly reassure you about that. We have undertaken a review of how we use the advertising budgets. I am not convinced that all the public information campaigns of the past have had the evidence base that they should have had. We are keen to ensure that when we embark on a campaign, it is evidence based, it is the most likely to work and it will get to the right audience. We are aware of that issue.

**John Storey:** The Newhaven Agency has already undertaken work for us. It has done quantitative work, which involved a survey of 1,022 people throughout Scotland—old people and young people—to find out their attitudes. That provides a baseline. It has also undertaken qualitative work, through focus groups, which has looked in more detail at people’s attitudes to older people, older people in employment and older people in front of them in the queue at the supermarket and so on. That information will allow

us to measure what impact any campaign has had.

**Bill Wilson:** I am duly reassured.

**Elaine Smith:** Minister, you mentioned earlier the intention around support for carers. We on the committee were pleased to note that you intended to publicise the national care standards. In response to another question, you said that funding was available to communicate what to expect from national standards and care homes. Are arrangements in place to monitor the implementation of the care standards? I ask that because a lot of care homes are run as businesses in the private sector. How can you ensure monitoring of care standards?

Secondly, and just picking up on that, do you have any plans to make better training conditions and pay available for professional carers? A rather worrying point that was brought to my attention last week was that a private care home—where profit is involved because it is a business—might not pay its workers for the first three days of sickness, and that therefore there might be an incentive for workers to come to work ill. That is worrying in an environment in which there are elderly people, particularly at the moment with the norovirus on the go. There is an issue there—approaches might be different in the public and private sectors. Finally, given the demographic changes, do we need to fundamentally rethink care provision for older people?

12:00

**Shona Robison:** There was a lot there. It is important to publicise the national care standards. It is okay for them to be there in a document, but they are not as effective as they should be if people do not know what they should expect from services. That document is an important piece of work. In its assessments of care homes, the Scottish Commission for the Regulation of Care ensures that care homes comply with the standards. It is the responsibility of ministers to ensure that the standards are monitored.

The pay and conditions of staff are important in the delivery of care services. A number of important milestones and documents relate to that. “Changing Lives: Report of the 21<sup>st</sup> Century Social Work Review”, for example, is about the workforce in social work. An important area is the work that is going on between COSLA and the care commission to develop a system in which the payment of fees to care homes is linked to quality. Quality is about a number of things, including the quality of staff in care homes. Making that link will be important in driving up standards, which is why the Government is keen to see that taken forward.

What should care look like in future? That is an important point. The next generation of older

people will have different expectations. They will expect to remain in their own homes for as long as possible, with the right support. We need to ensure that there is a shift in the balance of care—that is very much a part of “Better Health, Better Care”. We also need to look at the new models in international practice for maintaining people in their homes for longer and consider how we can bring that new practice to Scotland. Telecare and telehealth are important in that respect. Ultimately, however, we need to ensure that where people require to be cared for in a care setting the standards within that setting are as good as they can be. That is why we are driving forward the national standards and ensuring that as many people as possible are aware of those standards.

**Marlyn Glen:** One of the fears of older people is social isolation—that in itself can lead to health problems. Is the Scottish Government committed to maintaining dial-a-bus services to take older people shopping, to hospital and to visit friends and so on, particularly in rural areas?

**Shona Robison:** Demand-responsive transport services were an element of “All Our Futures: Planning for a Scotland with an Ageing Population”. Although that has been rolled up as part of the concordat with local government, I am very much of the view that local authorities will want to deliver that service. Many of them already do so very well; others could learn from best practice elsewhere about how to develop those services. In many local authorities in rural areas, the services are already quite far developed, but it is up to local authorities to develop and maintain the services at a local level as part of the local government settlement.

**Marlyn Glen:** I do not want to get into the whole ring-fencing argument. Will the Government continue to support concessionary travel programmes and improvements to the accessibility of public transport?

**Shona Robison:** Absolutely. I can give the committee some figures on that.

**The Convener:** We are almost out of time.

**Shona Robison:** Basically, the answer to the question is yes. Spending on concessionary fares for older people will rise to £180 million in 2010-11.

**The Convener:** That is helpful.

**Marlyn Glen:** What progress has been made on the Scottish Government’s commitment to develop all-age housing—housing that is suitable for people’s changing needs throughout their lives?

**Shona Robison:** We still have that commitment, which Stewart Maxwell is taking forward as part of the housing strategy. I can write to the committee with more details of that work.

**The Convener:** We can fit in one more brief question, if Sandra White asks it quickly and the minister provides a short answer.

**Sandra White:** You spoke about younger people using YouTube and so on. How can more peer training be provided in supermarkets and other areas to encourage older people to use the internet?

**Shona Robison:** That is an important issue. A number of schemes are available to encourage people, especially from more disadvantaged communities, who do not currently have internet access to access the internet. As you say, there are a number of prominent public outlets where people can use it. I am encouraged by the number of older people who have become internet wise. They include my mother, who is over 80 and is now quite a whiz on the internet. It is a tool that breaks down the information barrier, and we should encourage older people to access it. We will seek to do that.

**Sandra White:** I have one more tiny question, which relates to an issue that is close to my heart. We have talked about employers and employees, but I want to touch on the subject of older people who are entrepreneurs. Given the increasing number of older people, has the Government carried out an analysis of Scottish Enterprise's pilot personal enterprise shows?

**Shona Robison:** I have some information on the issue, which I will include in my written response to the committee.

**The Convener:** That would be terrific. Thank you for taking part in a full evidence-taking session, which we have found very helpful. We look forward to receiving the additional information that you have promised to provide. I suspend the meeting for a couple of minutes to allow a changeover of witnesses.

12:08

*Meeting suspended.*

12:13

*On resuming—*

## Public Appointments (Proposed Equal Opportunities Strategy)

**The Convener:** Agenda item 4 is the Commissioner for Public Appointments in Scotland's proposed equal opportunities strategy for Scotland, "Diversity Delivers", which is currently out for consultation. I am very pleased to welcome the commissioner, Karen Carlton, to the committee. Karen has kindly said that we should just press on with our questions to get to the nitty-gritty.

I was particularly taken with the statement on page 19, in section 2 of the introduction to the strategy:

"Creating equality is not about treating every person the same, nor just about removing unlawful discrimination, but is about valuing individuality and nurturing its development."

It goes on to say:

"an 'equal opportunities' approach often implies a focus on policies and procedures driven by the need to keep within the law"

rather than looking at the diversity approach, which

"focuses on the sound reasons for having those policies."

Do you think that the definition of equality in the Scotland Act 1998 adequately encompasses that sentiment?

**Karen Carlton (Commissioner for Public Appointments in Scotland):** That is an interesting one. It certainly has not, in any way, constrained the work that I have done, because the Scotland Act 1998 not only looks at the different equality strands that were enshrined in legislation when the act was passed, but refers, as you know, to any current legislation or issues. I do not believe that there is a requirement—certainly from my perspective of looking at public appointments—to change the wording of the Scotland Act 1998.

The act that governs my role is the Public Appointments and Public Bodies etc (Scotland) Act 2003—of course, members know all that; I do not need to tell you which acts you have passed. It has two specific requirements, one of which is that I reflect the requirements of the Scotland Act 1998. However, there is also a more general requirement that I ensure that all categories of person are afforded the opportunity to be considered for appointment. That is where I can move outside the wording of the Scotland Act 1998 and look at the differences that people bring

to the process and how they can all be accommodated.

12:15

**The Convener:** That is helpful. I certainly found the strategy's opening statement to be a refreshing introduction and start to the process.

**Marlyn Glen:** Your website lists 62 public bodies that are regulated by your office. To give us an idea of the numbers of people who go through the public appointments system that you are aiming to improve, can you tell us how many people sit on the boards of those bodies and will, therefore, come under the provisions of your new strategy? It would be helpful if you could break down that figure to show how many of those board members are appointed annually and how many are reappointed.

**Karen Carlton:** It would probably be better if I were to give a written response with full details, but I can give you some overarching figures.

If you are talking about the bodies that I regulate and which are covered by schedule 2 to the Public Appointments and Public Bodies etc (Scotland) Act 2003, there are around 900 posts. It is hard to be specific simply because there are many moves to merge bodies, while at the same time new bodies are being created that will be added to schedule 2. Some of those 900 posts might not currently be occupied and I do not know about it, or circumstances might have forced people to leave before the end of a term of appointment.

The appointment process usually looks at a three-year term of appointment. It is the norm for someone to be reappointed if their performance demonstrates that they meet the board's current and future requirements. As the Americans say, "You do the math." If there are 900 posts, there could be as many as 300 appointments each year. In fact, there are fewer than that. Last year, there were 197 appointments because there were also reappointments.

**Marlyn Glen:** How widespread was the consultation process that informed the preparation of the strategy, and how long did it take to develop?

**Karen Carlton:** The strategy took two years to develop. We started in November 2005. An enormous number and quite a variety of people have been engaged in the consultation. The starting point was to look at everyone who was engaged in the public appointments process at that stage, from the junior officials, who would be the administrators, right through to the ministers who would make appointment decisions.

We moved from there to have a look at the applicants. Members will have seen from the

research that more than 500 applicants who had direct experience of the process let us know what their experience had been and gave us advice about how the process might be improved.

We then moved to the larger number of people—more than 1,000—who had not been involved to find out what it was about the process that stopped them from being involved. We might describe them as people who have some knowledge or clear information about why people are not engaging with the process.

We talked to a total of 21 organisations at the pre-consultation stage. They were the equalities groups, including what was at the time the embryo of the Equality and Human Rights Commission, the Scottish Inter Faith Council, Stonewall Scotland, the Scottish Women's Convention and Women at Work. I wanted to ensure that any group that is currently clearly disadvantaged—the statistics show which groups those are—was actively engaged in telling us what the barriers are and what might help to attract applications from them.

It is important to reflect the convener's point and emphasise that the strategy is not just about ensuring that those people who have so far been disadvantaged are no longer disadvantaged. It is about encouraging a wider range of people—groups who would not traditionally be seen as underrepresented—to find the process attractive. I tried to ensure that the variety in the recommendations was reflected in every stage of consultation.

**Sandra White:** The consultation document notes that Government officials deal with advertising and other practical arrangements in relation to the appointments process. Are the officials given specific training for that work? How is the effectiveness of the advertising monitored?

**Karen Carlton:** As a result of work that was done in 2002-03 by the consultants Reid-Howie Associates, it was recommended that Government officials who were involved in the appointments process should be given training. I understand that they were given equal opportunities awareness training. However, our strategy reflects my view that that training was not sufficient, because equal opportunities awareness is not sufficiently or appropriately evidenced in how the process is being applied.

I have no evidence that the advertising was monitored sufficiently. More recently, all the health bodies have been engaged in diversity awareness at board level, but that is just finishing so it is too soon to say what impact it has had.

**Sandra White:** The evidence that you supplied to us indicates that there is a lack of diversity among applicants. You obviously considered the

issue carefully, and I am sure that the committee will pick up on the fact that that has not been monitored properly.

Your document highlights the fact that the current arrangements are not effective in reaching the required level of diversity. Do you propose a different monitoring process as part of your new strategy, perhaps with regard to advertising and that type of thing?

**Karen Carlton:** The Scottish Government has done limited monitoring of the impact of different forms of advertising, but that monitoring is not detailed and depends on applicants informing the Government where they saw a particular advert. If they choose not to do that, the Government has not so far followed that up.

There will be mechanisms that will enable us to ensure that more information is collected from people about how they became aware of an appointment opportunity. In the strategy, you will see that I also recommend much more detailed monitoring generally, so that we start to pick up quickly which groups in society are affected by recommendations that are implemented and which groups might benefit from positive action in the slightly longer term.

**Sandra White:** So, the reporting and the monitoring are not proactive. You heard the evidence in our earlier session about older people and the internet. Obviously, we want to attract younger people, but that should not be a problem when we have the internet, with sites such as YouTube. However, I thank you for your observations.

My next question might be out of order, but the committee will pick it up. You said that it is up to applicants to tell the Government where they saw the advertisement. Could the committee do anything to turn that round so that the Government, rather than the applicant, would be proactive in that regard?

**Karen Carlton:** A number of the strategy's recommendations would automatically address some of that. If people are trained to have greater awareness, which is one of my recommendations, they will be more aware of the reason for monitoring, so some of the attitudinal shift will begin to happen. If the centre of expertise is created, it will be staffed by people with a real understanding of diversity who recognise that appointment is a two-way process. I think that their actions will translate into much more proactive monitoring. If the monitoring statistics are provided in the different ways that the strategy recommends, that would give a clearer picture.

**Marlyn Glen:** In the previous session of Parliament we did a lot of work on equality training and differences. If you are talking about

awareness training rather than equality training, that is a concern to me, because there is a substantial difference between the two.

On page 16 of the consultation document, you note that because diversity can bring challenges such as

"lower cohesion, less trust and higher turnover within groups",

board chairs must be capable of "counteracting such tendencies", and that

"their ... performance in this area must be monitored and evaluated."

How is the performance of board chairs monitored and evaluated? Do you want managing diversity to be a critical factor in the evaluation process?

**Karen Carlton:** Let me go one step back. In order for managing diversity to be a critical factor in any form of performance assessment or evaluation, it must be enshrined in the person specifications of the people who will be expected to perform those roles. Whether we call it managing diversity or valuing difference does not matter, as long as there is a clear understanding among everyone who is engaged in the appointment process that we as a nation cannot improve the number and diversity of applicants without addressing the attitude that exists in some boardrooms at the moment, whereby such diversity is not sufficiently well accepted, embraced, valued, respected and used.

My understanding is that how board chairs are appraised can differ from directorate to directorate. A chair's performance is normally reviewed against the appointment criteria—which is why I think that diversity needs to be mentioned much earlier in the process—by the director general, the minister or a combination of both. The body's performance is also taken into account. It is a requirement that chairs and board members are appraised regularly, although that does not have to happen annually. It might be useful to strengthen the appraisal process for chairs and board members.

**Marlyn Glen:** I was concerned about the idea of higher turnover being a challenge, because a higher turnover is necessary if we are to make any change at all.

**Karen Carlton:** That is an accurate picture of why we are in the position that we are in. Given that people sit on boards in most cases for six years and in some cases for four or five years, we face a situation that is historical and which will take some time to change. At present, the boards are not diverse, as you know, but the board members might not change all that frequently. That is another dimension to consider.

**Marlyn Glen:** You are looking at using the same kind of process for the chair and the members of the board as is used for the appointment process. Both of those will be improved.

**Karen Carlton:** Yes. An issue that is not made explicit in the strategy—it is an observation around the process—is that the Scottish Government appears to believe that reappointment is based on performance in post to date. I have been trying hard to persuade the Government that that is not the only criterion. How someone has performed against the selection criteria is clearly important, but I believe that on each occasion there should be a review of what the minister expects the body to deliver and of the person specification. The fact that someone has done something well in the past is not a guarantee of continuing performance.

**Marlyn Glen:** I agree. We want a long-term strategy, but not such a long-term strategy.

**Karen Carlton:** Yes.

**Bill Wilson:** Section 4 of the consultation document discusses the challenges to achieving diversity and notes that many comprehensive studies have been done of equality and diversity in public appointments, but there is not much evidence that effective outcomes have resulted from them. Why do the previous research and recommendations seem to have had such little impact? If you accept that they have had little impact, how can we ensure that in future such studies will produce more effective outcomes?

**Karen Carlton:** You are right to say that there is little evidence that such studies have had effective outcomes. The very fact that monitoring has not been as good as it might have been means that there could be some pockets of good practice that people are not aware of. I certainly have not found any, but that does not mean that there are not any.

The reason why the strategies that have been adopted and the proposals and recommendations that have been made have not made a significant difference to the board populations is to do with the fact that, if one studies what has been said in the past, a number of them have been rather theoretical. I was in two minds about producing a strategy that included detailed implementation suggestions, because that is not what is normally expected. I was quite clear that the strategy had to be sufficiently detailed for people to pick it up and work with it. In the past, one of the problems has been that we have talked about increasing awareness, but we have not been specific about what that means in terms of training at each stage in the process.

Also—this comment reflects a question that you asked the previous witnesses—there has not been clarity about the ownership of implementation of various recommendations. That is certainly true of

past equal opportunities strategies that have been written specifically for public appointments. Who will do what has never been all that clear.

I have a sense that the process has not been given the priority that it might have been. Please do not think for a moment that I am getting on my soapbox or taking the opportunity to complain, but the public appointments process has perhaps not been given the profile that it should have been, given that the boards of the public bodies collectively spend £11 billion of public funds.

12:30

**Bill Wilson:** If you want to get on your soapbox and make a complaint, I think that we would be interested to hear it.

**Karen Carlton:** At the moment, I am in the mode of cajoling, persuading and taking people with me rather than of complaining, but I have made that observation. That is why I have been clear that I believe that the recruitment of senior civil servants, which is probably the closest thing to the public appointments process, is a more rigorous and detailed process that has much more professionalism attached to it. I do not believe that that is appropriate.

**The Convener:** Thank you for that comment. We certainly take it on board.

**Hugh O'Donnell:** On page 30 of your consultation document, you mention contact with specific groups. You state:

“More than 80 groups from minority communities are informed of every appointment vacancy, but there is no evidence that this produces any applications.”

There is no evidence of applications, let alone of appointments. Have you discussed with those groups what the perceived barriers might be and how the process could be modified to encourage more applications?

**Karen Carlton:** Again, it is important to stress that there is little evidence and that some applications might be coming through. The fact that the Scottish Government has not monitored in detail the source of applications means that there might have been some applications from the 80 groups. However, as a general statement, it is obvious that not many people from those groups come forward regularly.

To be frank, when I have spoken to them, I have found that the reason for the lack of applications is their lack of belief or trust in the fact that we all mean what we say. For example, there is a sense that statements about equal opportunities in advertisements are there because it is politically correct for them to be there. There is a sense that training is given because it is politically correct. Some of the attitudes are quite entrenched.

People's view is primarily that public appointments are not for people like them. The difficulty that we face is that, if someone is from an Asian minority community, if they are a young person or if they do not have a traditional educational background, that view is absolutely right. If you look at the population of the boards of our public bodies, they do not reflect the diversity of Scotland. That, in itself, puts people off.

There is a general distrust. Do we really mean what we say? If we overcome the distrust, there is a lack of confidence. People do not believe that they are likely to be appointed because history suggests that they will not be. How can we address that? As with any attitude change, we need to be persistent. We need to show that we are serious. We need to work to highlight not only the visible differences, but all the non-visible aspects of diversity. The chair of one health board started his working life as a miner. How well known is that? He is currently a professor. When people look at Professor X, they do not see someone who might have the same background as them. A higher profile needs to be given to the non-visible diversity of board members. Again, I refer to that in the strategy. We need a lot more communication around those board members who are different—the role models, for example.

We also need to be persistent. If we give up, people will believe that it was all about political correctness. We need to keep on approaching the bodies and keep going back to them specifically to ask for applications. We might carry out positive action for groups of a particular gender or ethnic background. In the strategy, I mention providing help with applications through mentoring, guidance and support. If people see that mentioned in an advertisement as well as a statement about equal opportunities, we are more likely to overcome their distrust.

**Hugh O'Donnell:** You referred to the quality of the Scottish Government's monitoring. Have you made, or are you making, any recommendations about how it should be improved to address those issues?

**Karen Carlton:** Yes, we are. We did not do so until I had the research data because it would not have been wise for me to say to the Government, "I want you to report on X, Y and Z" if, in fact, those did not prove to be the issues.

We are looking at much more comprehensive monitoring information, so we are including sexual orientation, religion and belief information, but we are also looking at much more detailed monitoring of applicant statistics and the impact of publicity strategies on changing the balance.

**Elaine Smith:** Let us return to ownership, which you mentioned earlier. The strategy document

recommends that you and the Scottish Government work in partnership to implement the equal opportunities strategy, but where does the ultimate responsibility lie for its effectiveness? What powers do you have to intervene when clear failures have been identified?

**Karen Carlton:** The answer to your first question is that because the Scottish Government is responsible for the process from publicity through to appointment, ultimate responsibility must lie with the Scottish Government. Whichever recommendations are accepted, it will be up to the Government to implement them. Although the 2003 act does not give me any power to be involved in implementing the strategy, the fact that I am required to ensure that all categories of person are afforded the opportunity to apply gives me the power to monitor progress.

I can build some of the requirements into my code of practice, over which I have statutory power, and I can report ministers who do not comply with that code.

There was another aspect to your question that I might not have covered.

**Elaine Smith:** What powers do you have to intervene when clear failures have been identified? I am thinking of failures in effective representation on boards or in the recruitment process.

**Karen Carlton:** If I were to build something into my code of practice, that is where I would have the power to intervene. That is all that is open to me at the moment.

A huge amount of research was done before the strategy was published. It started off with over 60 recommendations, which I had to whittle down into a manageable amount; I recognised that when people read the strategy, at a time when resources might be slightly constrained, they might not take me seriously if I had 60 bright ideas. If, however, I had 11 ideas, along with practical ways of implementing them, there would be a chance that something might be done.

It is important that I continue to have some form of involvement, because I have the detail that underpins all the priorities and has already opened a number of doors. For example, I have created a public appointments hallmark. I persuaded Queen Margaret University to produce the education programme that would be necessary so that I can report on progress and, if there is interest in a particular area, we can get going quickly.

If the implementation group is agreed to, that will be the best way to report regularly on progress—and to the committee, if members agree.

**Bill Kidd:** You might want to get on your soapbox again, because my question is about

costs and budgeting. It appears that you have not been able to provide any indication of the cost of implementing your strategy, although some of the recommendations—such as the communications campaign, and building and maintaining an accessible hub website—would clearly involve significant costs. How confident are you that a budget or budgets will be available to deliver your strategy?

**Karen Carlton:** I do not believe that the Government can ignore either the recommendations or the force of evidence that is coming through the consultation. I cannot say with certainty that there will be funding for all 11 recommendations, but I have provided genuinely low-cost options for each of the key recommendations.

For example, the centre of expertise on public appointments in the Scottish Government replaces the current public appointments team, so the budget already exists. I have created the public appointments hallmark, so that will not be a cost option; in fact, it will reduce the cost of annual audit. Therefore, I am confident that money will be available, certainly in the short term. You are right that the hub website will not be an inexpensive project, but a cost benefit analysis shows that it will reach many more people in much less time and have a much more diverse readership than advertising in the regular national newspapers. It costs millions to advertise in them each year.

**Bill Kidd:** And their circulation is declining every year.

**Karen Carlton:** Absolutely.

**Hugh O'Donnell:** Have you had the opportunity to discuss your recommendations with the Scottish Government or has it commented on your strategy? Is it broadly supportive of the line that you are taking and, if it is less than broadly supportive, in what areas are there differences?

**Karen Carlton:** I have had that opportunity. When I present a strategy, I must present it first to Parliament, so I have not debated the strategy's content with any other body or group. However, round about March last year, I found out that the Scottish Executive was planning to restructure its public appointments team and I had some concerns about the plans because I did not believe that they would address any of the issues that were beginning to emerge from the research, so I took the opportunity to speak to the permanent secretary about what I believed the result of a restructuring of the team might be and what the creation of a centre of expertise could achieve.

I am pleased to say that everything that I recommended was taken on board. The public appointments team in its old form no longer exists

and the new centre of expertise is being developed—in fact, this afternoon, I am doing some of the induction for the first member of the new team, who was appointed to lead it. Therefore, I believe that there is support within the Government for expertise and for reducing the newspaper advertising and building much more interactivity and e-communication into the public appointments process. That suggests that at least part of the hub website is already being considered.

I might have a difference of opinion with some of the Government officials on the point that I made about the priority that should be given to the public appointments process. I am not entirely convinced that it is yet being given the priority that it needs. However, some of the work in the strategy will make the process much more straightforward to implement. The process as the Scottish Executive introduced and implemented it probably was not as streamlined and smooth as it might have been. Because the Executive introduced a number of stages with no real benefit, people were a little reluctant to give the process the time that it needed, but some of my recommendations should remove that problem.

One of the questions that we need to ask is what ministers need. If the strategy gives them a much more diverse pool of talent from which to make appointments, it is hard to believe that they will say that it is a waste of time and refuse to support it.

**Hugh O'Donnell:** Your observations about streamlining have been made in another place in a similar context, so I was aware of that point. Bearing in mind the fact that we are talking about restructuring and the centre of expertise, is there existing expertise on diversity in the Scottish Government's now defunct team or in the new team, or do you look for the Government to draw on wider expertise and, if so, from what sources?

**Karen Carlton:** The question whether the expertise sat in the previous team is probably answered in my strategy. We would not be where we are if it had. It is hard to predict whether it will sit in the new team, because not all the members have been appointed. However, a member of my team was on the appointment panel specifically to consider such issues when the lady who has been employed was appointed. She has come from a non-regulated public body in which she did a lot of relevant things, including creating role models to attract interest, so I am confident about that.

There was another question. I am sorry, I should have made a note of the multiple questions so that I could answer the other bit. What was it?

12:45

**Hugh O'Donnell:** Do you have any ideas about where other expertise may be found that could be drawn upon if required?

**Karen Carlton:** Judging by the few discussions that I have had with the central human resources team in the Scottish Government, there is real expertise in diversity there. A lot of expertise is also evident in the work of the equality unit in the Scottish Government. I am trying to break down the previous silo thinking whereby only the public appointments team knew about public appointments. Yvonne Strachan has a wealth of information that she has shared with me, which can be used now to benefit the public appointments process.

It is not about bringing in expensive consultants; I do not think that we need to do that. However, if there is a need for some external benchmarking or a review of what other organisations do, I always find the Chartered Institute of Personnel and Development very helpful. Its executive chairman is one of my assessors in the Office of the Commissioner for Public Appointments in Scotland, so I probably have a hotline to the latest research that comes out. I am also a fellow of the CIPD, so I am provided with a lot of the information anyway. That would be a good measure of effectiveness. In fact, Dianah Worman, the CIPD's diversity adviser, is commenting on our strategy. That gives us a perspective that we might not have if we continued to work with people within the Government.

**The Convener:** The clock is ticking, so we will move swiftly onward.

**Marlyn Glen:** Under "Education and Experience", you recommend that a specific public appointments development and shadowing programme be attached to existing management development schemes. However, you also note that that programme would, at least initially, draw from fairly senior ranks in organisations where diversity is still limited and would, therefore, be unlikely to make much impact on diversity. Would it not be more effective to widen the shadowing programme to include more diverse groups of people from the outset?

**Karen Carlton:** If I had not made that observation, other people would have done so. There are a couple of things to think about. Let us get it right before we start spending huge amounts of public money. The reason that I am proposing a pilot with the sort of organisations that we are talking about is twofold. First, they are a low-cost option because they already have sophisticated management development programmes, so there would be no need for any kind of education input, which may cost. Secondly, because of the work

that they have already done, organisations such as Lloyds TSB are at the forefront in promoting diversity and equality within their own organisations, so they will be slightly less likely to suffer from all their senior directors and managers being of a certain age, gender and ethnicity. However, it is primarily because we need to pilot the programme and we have a group of people who are willing to pilot it. After the programme has been piloted, we can start to include the voluntary sector and a raft of different bodies with specific, tailored education to support them.

**Marlyn Glen:** I am not convinced that such a programme will provide the quick fix that you want from it. I can see that it will add some people, but I do not see that it will add to diversity all that much.

Another problem that I meant to raise before is the fact that I do not see much of a geographical spread of members in the document. I was under the impression that the United Kingdom public appointments commissioner had set up a pilot scheme of shadowing for the Welsh commission around four years ago. I was surprised to see that that is not mentioned in the document, although perhaps that pilot scheme did not get off the ground.

**Karen Carlton:** That may be the shadow boards, which are mentioned in the document as an example of what I recommend that we could do in the medium term.

**Marlyn Glen:** Do individual members have a shadow on the boards? Is that what you mean?

**Karen Carlton:** Well, no. There are two different shadowing schemes. In the shadowing scheme that is run more widely than just in Wales—it has been run in Scotland—potential board members will shadow a board member. However, the evidence from the evaluation that is being done of that scheme is that it has not been particularly successful. The shadowing lasts for a maximum of two days and the board members have not always been as committed as they might have been to the education that is required to support the shadowing. That is why I believe that the programme needs to last for a year. I am not recommending a repetition of the shadowing programme that has run to date.

The other scheme is the shadow boards, whereby people at any level in an organisation, public or private, operate as a shadow board. They perform the role of the board: they read the papers, meet to discuss board issues and meet the full board after board meetings to say what they would have agreed, give their opinion and find out what the full board thinks. That is a longer-term development programme to get people experienced in behaving as board members by considering different perspectives, as we would

expect a board member to do. I am not recommending the short shadowing programme, but I am recommending the shadow board programme and the longer programme.

**Marlyn Glen:** I did not realise that the programme was only two days, which is nothing at all. I thought that the intention was for individuals to do shadowing for a whole year. Does the shadow board idea not increase the time commitment and the general commitment needed from board members? You want people to be aware and to be trained, but is there not a huge expectation of the people who are there already?

**Karen Carlton:** Yes, there is. One of the things that I was very clear about when I took over as commissioner was that the estimate of time commitment provided in the publicity was woefully inaccurate. My code requires that an accurate assessment of the time commitment is stated clearly in the publicity; otherwise, we are wasting everyone's time. I cannot say exactly how well that is being introduced, but I have a team of OCPAS assessors who challenge the assessment on every occasion to ensure that it is as accurate as it can be.

People are now aware that it is not just a case of turning up once a month or every couple of months and chatting over a cup of coffee. However, if we want boards to be more active, perhaps through the meet-the-board programme or the board shadowing programme, we are going to require more time. We have talked generally about attitudes and priorities. You will not turn a policy or strategy into everyday good habits without commitment from senior people. I do not think that it is unreasonable to expect such commitment.

**The Convener:** I call Bill Wilson and ask him to be succinct.

**Bill Wilson:** I will be sort of succinct.

You have suggested as an aspirational target an increase in black or minority ethnic applicants from 2 to 8 per cent. How did you arrive at that figure? Is the target 8 per cent across the board or 8 per cent per board? If it is 8 per cent overall, some boards would not have any such applicants. Do you think that BME applicants are one group or are specific ethnic groups particularly poorly represented? If you feel that there should be separate groups, some of which would be very small, how would you monitor them, given that there would be inherent statistical problems?

**Karen Carlton:** I will try to remember all those points. Please tell me if I do not cover them all.

I arrived at the figure of 8 per cent by looking at the anticipated trends in the Scottish population. I used information from the Scottish Government

website, the one Scotland campaign and the CEHR, which is now called the EHRC. I also bore in mind the fact that the current BME percentage is based purely on black and minority ethnic people; it takes no account of white minority ethnic people, in which there is a significant population increase.

Although I recommend an overall figure of 8 per cent, I also make it clear that I expect boards to reflect the demographics of the community served. For example, I see no reason why Greater Glasgow and Clyde NHS Board, which has a 40 per cent BME population in some parts of its community, should not be aiming to achieve a much higher figure than 8 per cent.

You asked about monitoring different categories of people. That is a difficult question to answer. The best recommendation that I can give is that we follow the census data—as you know, the census questions are currently being considered—because we cannot know whether we are reflecting the population if we do not have the population measures. You tell me whether “other white” includes “half Irish and half Welsh”, which is not a category. Are such people “other white”? If so, are they being confused with Poles or Australians? Are Australians a minority? The information does not exist. On the revised monitoring form, which I am recommending, as far as I can see the “please specify” question is ignored at the moment—you either tick a box or specify in your words. No one has yet captured what people specify in their own words. That is a rich seam of data that we need to obtain if we are to answer questions in the longer term about how many subcategories we need and, ultimately, which subcategories of people are being disadvantaged.

**Bill Wilson:** I freely admit that my previous question was rather long, but I am worried about what happens with the smaller ethnic groups. According to the census data, a small ethnic group might represent less than 1 per cent of the Scottish population. There are quite a few small groups like that. However, if a post attracts 30 applicants, 1 per cent of that is 0.3 applicants—in effect, zero applicants. If we strictly follow the census data, certain groups could end up being excluded because they would never rise high enough to register as an underrepresented group. Given that statistical problem, how do we monitor the situation to ensure that that does not happen?

**Karen Carlton:** We might become more attuned to that through the development that we provide to BME groups. We can ask bodies such as the Council for Ethnic Minority Voluntary Sector Organisations and interfaith groups for feedback on how many of their members have applied for posts. Another challenge is that, in order to

increase diversity, the appointment process is anonymous. Going down that route can increase the number of applicants significantly because people have a little bit more trust that they will not be ruled out automatically just because, for example, they have an Asian name. However, at the same time, that can make it a little harder to detect some of the trends that have been highlighted. I think that we will deal with that issue not through statistical analysis but through the qualitative feedback that we receive from the groups with which we work.

**Bill Wilson:** My last, short question is similar to my previous question on the target for BME applicants. How did you arrive at the aspirational target of increasing the proportion of female applicants from 30 to 40 per cent? Clearly, females make up somewhat more than 40 per cent of the population. Also, why is the aspirational target to increase the proportion of disabled applicants from 7 to only 10 per cent?

**Karen Carlton:** The aspirational target for applications from disabled people represents 50 per cent of what we believe is the current percentage of disabled people in the population. I looked at the current figures and considered what could reasonably be achieved over a three-year period. Disabled people are quite a hard group to access and to convince that they are likely to be appointed. I know that through work with the European Union of Supported Employment, which encourages disabled people to go into employment. Given that that is particularly hard, I see no reason to assume that encouraging disabled people to take up a public appointment will be different. The aspirational target equates to about 50 per cent of that population.

On gender, the qualitative research—all of which can be made available if committee members want to review it—makes it plain that women are less confident than men and are less likely to apply, even if they are overqualified. From talking to large groups of women, we know that a specific concern is caring responsibilities, which still tend to fall more on women than on men. As was mentioned before, these are aspirational targets and it is hard to be absolutely specific. However, if we could increase numbers and achieve 40 per cent—even though women account for 52 per cent of the population—that would give us a starting point in the short term and would start to make a difference.

**Bill Wilson:** If the reason that fewer women apply is not because they do not see the advertisements or are unaware of the opportunities that exist but because they are carers, does that mean that board members need to be provided with better caring facilities?

**Karen Carlton:** That may be the case. I should perhaps mention some detail that has been

excluded. I wonder whether we need to have non-traditional meeting times for boards. For example, a woman who is a single parent—I do not mean to sound exclusive but I want to make a general point—might not be able to attend a board meeting during the day because she is working or she might not be able to attend a board meeting during the evening because of her parenting responsibilities. Do we perhaps need a different pattern of board meetings? Do we need to provide crèche facilities? However, women tend to have caring responsibilities not only for younger people but—as we spent time considering this morning—for older people such as aged parents and relatives. That is not an easy one to crack.

I think that awareness raising will make more people interested overall. I doubt that within the next two or three years we will be able to take care of all the issues that prevent women from applying, but if we can make some inroads, create role models, change the structure of board meetings and provide support for women who have caring responsibilities, we will start to make a difference.

13:00

**Elaine Smith:** From listening to you this morning, I think that we can be confident that you mean business and that you have ideas for how to make gains and improvements. Do you have a timescale in mind for how soon we can reasonably expect the strategy to begin to make a difference? If we do not see an improvement, do you have a plan?

**Karen Carlton:** At the moment, other than commissioning more research, I do not have a plan for what should be done if we do not see improvements. However, the strategy is divided into short, medium and long-term actions. I genuinely believe that, if we implement some of the short-term actions such as those that relate to the communications campaign, the centre of expertise and the hub website, we will start to see a difference in applications within two years. We will see larger numbers of underrepresented groups and perhaps a better balance. That will not immediately feed into board positions because people hold such posts for six or more years, but I expect that, by the end of year 3, we will see the beginnings of a change to the board population. By year 5, I would expect to see a significant difference in the figures.

**The Convener:** That is the end of our questioning. I thank the commissioner for her evidence, which has been particularly worth while. I know that the committee will be very encouraged both by the interactive and proactive approach that she is taking and by the level of scrutiny and analysis that she is bringing to her role. As she

said, given that £11 billion of the public's money is spent on appointments, the role of board members cannot be underestimated.

**Karen Carlton:** I should explain that the £11 billion is spent by boards that are appointed. Therefore, let us get the right people there to spend that money.

**The Convener:** Absolutely. We have taken that point, which has been made very forcibly in the evidence that we have heard this morning. Thank you very much.

I remind broadcasting and any members of the public that the committee will now go into private session.

13:01

*Meeting continued in private until 13:08.*

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