



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# **Social Justice and Social Security Committee**

**Thursday 24 November 2022**

**Session 6**



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Pàrlamaid na h-Alba

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**Thursday 24 November 2022**

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**SOCIAL JUSTICE AND SOCIAL SECURITY COMMITTEE**  
**32<sup>nd</sup> Meeting 2022, Session 6**

**CONVENER**

\*Natalie Don (Renfrewshire North and West) (SNP)

**DEPUTY CONVENER**

\*Emma Roddick (Highlands and Islands) (SNP)

**COMMITTEE MEMBERS**

\*Jeremy Balfour (Lothian) (Con)  
\*Miles Briggs (Lothian) (Con)  
\*Foyso Choudhury (Lothian) (Lab)  
\*James Dornan (Glasgow Cathcart) (SNP)  
\*Pam Duncan-Glancy (Glasgow) (Lab)  
\*Paul McLennan (East Lothian) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Susan Douglas-Scott (VoiceAbility)  
Emily Johnston (VoiceAbility)  
Jonathan Senker (VoiceAbility)

**CLERK TO THE COMMITTEE**

Claire Menzies

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



## Scottish Parliament

### Social Justice and Social Security Committee

Thursday 24 November 2022

[The Convener opened the meeting at 10:15]

#### Decision on Taking Business in Private

**The Convener (Natalie Don):** Good morning, and welcome to the 32nd meeting in 2022 of the Social Justice and Social Security Committee.

Agenda item 1 is a decision on taking business in private. Does the committee agree to take item 4 in private?

**Members** *indicated agreement.*

## Subordinate Legislation

### Scottish Child Payment (Ancillary Provision) Regulations 2022 (SSI 2022/326)

10:15

**The Convener:** Agenda item 2 is consideration of a statutory instrument subject to the negative procedure. This is the second additional instrument that has been laid by the Scottish Government in connection with amendments made by the Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022 to the Scottish Child Payment Regulations 2020, which came into force on 14 November 2022—that was a tongue-twister.

Two weeks ago, the committee considered an instrument setting savings provision. The regulations under consideration today also breach the 28-day rule, but the Scottish Government has written to the committee to explain that it needed to break the rule to ensure that the required provisions could come into force at the same time as the substantive provisions.

Are members content to note the instrument?

**Pam Duncan-Glancy (Glasgow) (Lab):** I wonder why this has happened twice, now, in relation to these regulations. I know that it is important that we make the changes to the Scottish child payment, but this has been quite a long time in coming and the Government has still had to break the rules to do it. I just wanted to put that on the record. Should we write to the minister and ask whether things could be planned a bit further in advance in the future? Continually breaking the rules is not a good way of doing business.

**Jeremy Balfour (Lothian) (Con):** I was going to make the same point, but perhaps I can answer Pam Duncan-Glancy's question myself.

I happen to sit on the Delegated Powers and Law Reform Committee, which met on Tuesday to discuss the regulations. We, too, had quite a lot of concerns about this being the second additional instrument laid under the initial regulations, so we have written to ask the Scottish Government for an explanation and I have asked for that response to be shared with this committee. As a result, we might not, on this occasion, have to write separately. Once the DPLR Committee receives a response, we can respond to it, if that is helpful, convener.

**The Convener:** Absolutely. The concerns have been noted and, if the committee is happy to do so, we will hold off writing to the Government at

this time and wait for a response from the Delegated Powers and Law Reform Committee.

Are we agreed?

**Members** *indicated agreement.*

## Scottish Benefits Independent Advocacy

10:17

**The Convener:** Agenda item 3 is an evidence-taking session with VoiceAbility representatives on the organisation's progress to date in providing independent advocacy under the Social Security (Scotland) Act 2018.

I welcome to the meeting the chief executive Jonathan Senker, who is joining us remotely, and Susan Douglas-Scott, chair of trustees and Emily Johnston, operations manager, both of whom are in the room with us today. Thank you for accepting the committee's invitation to give evidence.

Before we start, I want to make a few points about the format of the meeting, given that we are meeting in a hybrid format. First, I ask Jonathan Senker and any members attending remotely to please wait until I or the member asking the question say their name before they speak. It would also be helpful, Jonathan, if you could give our broadcasting colleagues a few seconds to turn your microphone on before you start to speak. If you wish to come in on a question, you can indicate as much by typing an R in the dialogue box in BlueJeans or simply by showing your hand.

To all our witnesses, I say this: please do not feel that you have to answer every single question. If you have nothing new to add, that is perfectly okay.

Finally, colleagues in the room should indicate to me or the clerk if they wish to ask a supplementary question. Committee members attending online should use the chat box or WhatsApp.

Before we move to questions, I believe that Mr Senker would like to make an opening statement. I am happy for you to do so now, Mr Senker.

**Jonathan Senker (VoiceAbility):** Thank you, convener, and thank you to the committee. I am grateful for the invitation.

First of all, I should introduce us and put us into context. VoiceAbility is an independent registered charity working throughout Scotland, and its mission or aim—the core of our being—is to ensure that people have a voice when it matters most. We have helped to lead the development and delivery of advocacy for more than 40 years, now. We recognise the strength of views of disabled people, disabled people's organisations, advocacy organisations and, indeed, the Scottish Government with regard to putting human rights at the heart of welfare benefits, and your understanding, their understanding and our

understanding that that requires people to have access to independent advocacy. We have been delighted to have the opportunity to develop and deliver the service.

We have made a positive early start. We have established from scratch a service that we believe is new not just to Scotland but, as far as we know, internationally. We have a strong, skilled staff team, which Emily Johnston is managing, overseeing and leading, and we have put in place systems, processes and relationships to ensure that the service is well embedded and networked across Scotland. As I have said, we have made a positive early start, and we are looking forward to having the opportunity to update the committee and to answer your questions.

**The Convener:** Thank you very much, Mr Senker. We will move straight to questions from members. James Dornan, who is joining us online, will go first.

**James Dornan (Glasgow Cathcart) (SNP):** I was expecting to come in later, convener, but I am happy to ask my questions just now. They are on theme 3.

**The Convener:** I apologise, James—I had wrongly noted you down as asking questions on theme 1. I will bring you back in later, on theme 3, if you are happy with that.

**James Dornan:** Yes, that is fine.

**The Convener:** In that case, I call Jeremy Balfour.

**Jeremy Balfour:** Good morning, panel, and thank you all very much for coming. I really appreciate your taking the time to give evidence today.

Advocacy was one of the key areas when we discussed the Scottish Government bill that led to the 2018 act. Indeed, it was one of the things that we were keen to provide for people in Scotland, and I am grateful for the work that you have done on it so far. Obviously it is still early days, but can you tell us how many people you have supported so far?

I do not know whether Jonathan Senker or Emily Johnston will want to take that one. You can fight it out among yourselves.

**Jonathan Senker:** Emily, can you respond?

**Emily Johnston (VoiceAbility):** No worries. To date, we have had 576 referrals, as a result of which we have had 376 cases. Of those, 236 were self-referrals or family friend referrals and 127 were made from other organisations such as professional organisations.

**Jeremy Balfour:** How do people find out about your service? Is it via Social Security Scotland or

through your website? If I have to make a new claim for the adult disability payment, for example, how do I find out that your organisation can offer this service to me?

**Emily Johnston:** I will take that question, Jonathan, if that is okay.

At the moment, we are doing a lot of engagement work out in the community by speaking to organisations. We have local hubs in, for example, community centres, libraries and food banks that clients can attend, and we have been doing a lot of advertising in the media. We have also, with the Scottish Government's support, been speaking to Social Security Scotland and various departments within that agency to get the message across.

**Jeremy Balfour:** How many people are now working for you in Scotland?

**Emily Johnston:** At the moment, we have 19 advocates, three team leaders, one operations manager, one contracts manager, one volunteer co-ordinator, one person on policy and one on learning and development.

**Jeremy Balfour:** That was helpful. I have one more question, and then I will leave it to my colleagues to pick up on other areas.

Obviously, your organisation offers advice throughout the process, including with attendance at tribunals. You say that you have 19 advocates but, if we are talking about disability cases going to tribunals, the fact is that there can be up to eight, nine or 10 tribunals meeting at the same time in Scotland from Shetland to Stornoway. Are you confident that, with that number of staff, you will be able to provide a service for somebody on the day of their tribunal?

**Emily Johnston:** I will take that question, Jonathan. The support that we offer does not go up to the Upper Tribunal—

**Jeremy Balfour:** No, I am talking about the First-tier Tribunal.

**Emily Johnston:** So, you are talking about the redetermination letter. We will scale up when referrals come through, and that is when we will look at further recruitment. At the moment, we are within our key performance indicators for ensuring that people are being seen within a specific time. I am therefore confident that we have the staff available, and I should add that another recruitment process is due to take place at the beginning of next year.

**Jeremy Balfour:** With respect, you did not quite answer my question. Are you able to guarantee that, at the present time, you have enough people both in terms of numbers and geographically to cover tribunals? I do not know where your 19

advocates are based, but there could easily be a tribunal in Inverness and one in Galashiels on the same day, as well as some in the central belt. Can you assure the committee that, if someone goes to a First-tier Tribunal within the next few months, you will be able to advocate on their behalf?

**The Convener:** Jonathan Senker would like to come in. He has been waving his hand quite vigorously.

**Jonathan Senker:** Thank you, convener, and thank you, Mr Balfour. As Emily Johnston has set out, we scale up our model of support as the need and demand for the service increase. Emily has described some of the work that we have been doing with a wide network of organisations and people to raise awareness, and we are also working hard with the Scottish Government and Social Security Scotland to make sure that the understanding of advocacy and the need to refer to it and the benefits of doing so are well embedded.

We have committed to providing support to people when and where they need it, so we are confident that we can meet demand, or we will scale up to do so. We recognise that there might be challenges with different people requiring different support at different levels in different parts of Scotland at the same time, but that is the commitment that we have made through the contract. Obviously we will need to continue to review the situation as we roll out the contract and as demand for our service increases with the increase in awareness, but our commitment is to meeting the needs of those people, including at tribunal.

**Susan Douglas-Scott (VoiceAbility):** I echo Jonathan Senker's points. As the chair of trustees, I am responsible for seeking assurance from our executive teams that they are delivering on our strategic plan, which is all about our organisation being able to support anybody who needs a voice at a particular time. We are very committed to that.

As Jonathan has said, we have a scale-up organisation in Scotland. We have set up a successful team, led by Emily Johnston, and I have been given continuous assurances that that team is growing and developing as need emerges through the referral systems that have been set up. We would like more people to come to us; indeed, that is why we are keen to continue with our recruitment drive. We want to make sure that as many disabled people as possible who need independent advocacy on social security benefits in Scotland get that service wherever they need it.

**Jeremy Balfour:** I will come back in later, as I have questions on recruitment, convener, but I will wait until the next theme and rest there.

**The Convener:** Thank you, Jeremy. We will take questions from Pam Duncan-Glancy before we move on to the next theme.

**Pam Duncan-Glancy:** Good morning. I thank the witnesses for the information that you have shared so far and for answering our questions.

I am interested in going further on the subject of my colleague Jeremy Balfour's questions and considering the type of support that you give. Can you give us a flavour of the sort of support that people are getting? What are you doing with them? What kind of questions are you asking them? Is support given face to face or online?

**Jonathan Senker:** I will kick off on that and then perhaps hand over to Emily Johnston.

Our support is very much tailored to what individual people want and need. People with whom I have spoken have talked about how they have received support in the way that was right for them. One person spoke about how incredibly difficult it was to find the time and energy to make sure that she submitted child disability payment applications while facing very real challenges in supporting her children. The support that we provided to her was in a series of three sessions that were done by phone, because that is what she could fit in; she could not come into an office and she did not want us to come into what was an already challenging situation for her. We have worked face to face with other people.

10:30

Support has been absolutely crucial. I have heard from people who have had application forms stacked on the kitchen table because they could not face working through them. I have heard of and spoken with people who have applied previously but felt that they could not express their views in a way that would be understood. Support for them to be confident and to express their views has been vital and has enabled them to apply for benefits when they have previously not felt able to do so or have been unsuccessful because they were not able to express themselves.

I will hand over to Emily to give another view from our clients and members of staff.

**Emily Johnston:** The answer to the question about face-to-face meetings is that 37 per cent of our clients have requested face-to-face appointments and have received that service.

**Pam Duncan-Glancy:** Where are your clients when you have face-to-face appointments with them?

**Emily Johnston:** They can be based somewhere nearby in their local community—for example, a library or community centre—and they

can also have home visits. We deliver the service that suits their needs.

**Pam Duncan-Glancy:** Do you have a permanent physical base in Scotland?

**Emily Johnston:** We are based in an office in Glasgow, but our advocates are based at their homes so that it is easy for them to get out into the community to see clients as quickly as possible.

**Susan Douglas-Scott:** I have been in the office and it is accessible.

**Pam Duncan-Glancy:** That is good to know. I will pop in and say hi sometime soon.

The figures on redeterminations for child disability payments suggest that 86 per cent are being allowed, which means that those 86 per cent were not correct the first time around. From the work of your advocates or from clients whom they work with, do you have any information that could help us to understand why that might be the case? What issues are you supporting clients with when it comes to redeterminations as opposed to initial applications?

**Emily Johnston:** Do you want to take that one, Jonathan, or shall I take it?

**Jonathan Senker:** I am happy for you to do so. Emily will be able to answer the question better. My sense is that it is early days in our experience, but we are keen to gather such information so that we can give it to the committee. Some early signals might have come through that Emily can speak to.

**Emily Johnston:** The majority of the cases that we have dealt with—88 per cent—have been on the ADP; 12 per cent have been on the child disability payment. We are due in the new year to start speak out forums that will give us an opportunity to speak to stakeholders and clients who have gone through the service and to ask them questions so that their voices can be heard and we can feed that information back through the appropriate channels.

**Pam Duncan-Glancy:** Do you gather data systematically? I know that there will be a question on reviews later in the meeting; I have not said that I wanted to ask about that. Do you gather information and collect data on what people are approaching you for? Mr Senker said earlier that some people have applications sitting on their kitchen table because they cannot face doing them. Are you gathering data on the sorts of things that people ask you about and that determine the redeterminations?

**Emily Johnston:** Every time a case is closed, we send out a client survey and we gather the feedback that the client sends back to us. Some people have said that they could not have gone

through the application process without the support that we gave them. We feed that information back to the Scottish Government regularly.

We have done two redeterminations. One of the clients was very thankful for the support; the payment was awarded and the client was over the moon, because payment was also backdated.

**Pam Duncan-Glancy:** Excellent. Convener, I have one final quick question. You said that you have done two redeterminations. I might be making assumptions, but I think that the figures suggest that five redeterminations have been decided on adult disability payments and 250 have been decided on child disability payments. Do you have any sense of why only two redeterminations have gone through your service?

**Emily Johnston:** I cannot answer that. Jonathan—do you want to come in?

**Jonathan Senker:** The service is at a relatively early stage in its development. We have been focusing on strengthening the systems with Social Security Scotland, but there is some way to go to ensure that they are fully embedded in the process. We have a shared commitment, with the agency, to the offer of advocacy being well embedded in its systems and process, and in the understanding of its staff.

We have taken some positive steps with the agency; I do not doubt that the committee will wish to ask more about that. It is relatively early days, so unfortunately, at this stage, we would not expect everyone in the redetermination process to have been informed about their right to advocacy. We would like to get there, and we know that Social Security Scotland is keen to reach that point with us.

**The Convener:** Susan Douglas-Scott has a follow-up to that.

**Susan Douglas-Scott:** Over the years, I have been involved in a number of programmes that started from square 1, as this one has. In my experience, it takes time for word to get out and, no matter how much networking the organisation does, people do not always know about provision. There is also no evidence yet to show the success of the organisation, although we are building that.

Pam Duncan-Glancy made a good point about making sure that, in gathering information, we are absolutely clear about the type of support that we are giving to people and that we gather evidence discreetly so that we do not identify people. We can, however, gather evidence that says, for example, that there is something with which people are struggling, so we can ask what the barriers are to those people accessing benefits. In Scotland, we have the value base of Social

Security Scotland, and the value base of VoiceAbility matches that. What we do is about supporting people to live as equal citizens; this is all part of that process.

I am confident that the service will grow; these are early days.

**Pam Duncan-Glancy:** Convener, could I ask one short follow-up question?

**The Convener:** Sure.

**Pam Duncan-Glancy:** Thank you. I am interested in what Mr Senker said about the relationship between Social Security Scotland and VoiceAbility. There is obviously an expectation that you will promote your service, and I am sure that you are doing that. Could more be done? Is there something specific that Social Security Scotland could do that would help with the referral process?

**Jonathan Senker:** I will start on that question. We have, while recognising our absolute independence, a positive relationship with Social Security Scotland. It is fair to say that, despite all the work that the agency has to do, it is taking time to ensure that understanding of advocacy is embedded not just in its people's training but in its systems, processes, forms and information. We know that Social Security Scotland is committed to that and that some important positive measures have been taken. For example, earlier this week, I met two of the agency's front-line advisers who have taken on the responsibility of acting as champions of the need for advocacy in Social Security Scotland.

As well as that, we will focus on making sure that the offer of advocacy is embedded in the agency's information, systems, process and training. It is relatively early days, but we are keen for that work to gather pace.

**The Convener:** Emily, would you like to come in?

**Emily Johnston:** I want to follow up about the work that Jonathan Senker has talked about. We have been working closely with the Scottish Government and Social Security Scotland on providing an overview to many departments within the agency. Jonathan spoke about the champions: there will be eight of them, four of whom will be working on the child disability payment side and four on the adult disability payment side. Four will be based in Glasgow and four will be in Dundee. Our first meeting, with two of the champions, will take place next week in Glasgow. That will give us an opportunity to start building relationships and to see how we can work together successfully to get the message out to the people of Scotland about the work that we can do.

We have also done a lot of overviews and presentations, and Kaukab Stewart is kindly sponsoring our event in Parliament next February.

The work that we are doing with the Scottish Government and Social Security Scotland is going really well.

**The Convener:** We will move on to our next theme, which is recruitment and training. Miles Briggs will go first, to be followed by Jeremy Balfour.

**Miles Briggs (Lothian) (Con):** Good morning, and thank you for joining us.

A lot of my questions have already been touched on. Would it be possible for the committee to be provided with information on where advocates are based and the regions that they cover, specifically when they are working across health board areas?

**Emily Johnston:** Are you happy for me to give that information, Jonathan?

**Jonathan Senker:** Yes.

**Emily Johnston:** We have an advocate in Ayrshire and Arran and one in the Borders. Is that the information that you are asking for?

**Miles Briggs:** Perhaps you could write to us with that information, and, if there is an on-going opportunity to do so, you could update us on recruitment so that we can see what provision looks like. That would be helpful.

**Emily Johnston:** Of course.

**Miles Briggs:** We know that the number of complaints to Social Security Scotland has risen by more than 400 per cent. Are you already getting feedback on why that is?

**Emily Johnston:** Are you asking about complaints going to Social Security Scotland?

**Miles Briggs:** Yes—and about the conversations that you are having with clients.

**The Convener:** I am sorry, Emily, but Jonathan wants to come in. I saw your hand up a second ago, Jonathan. Was it for this question?

**Jonathan Senker:** It is on the previous question. I assure the committee that we have coverage across the whole of Scotland: we have advocates in every area. At the moment, there is a temporary vacancy in one health board area that will be filled in a couple of weeks or so. Our commitment is absolutely to ensure coverage. We have capacity and will continue to expand and flex it according to demand.

**Emily Johnston:** On Mr Briggs's other question, I do not know the answer. That is not a

discussion that takes place between us and the Scottish Government.

**Miles Briggs:** Will the speak out forums that you are planning to develop be included in capturing why people are making complaints and whether they are about the system or outcomes?

**Emily Johnston:** The speak out councils will give clients the opportunity to speak about their journeys. We will ask people about their journey as a whole, whether that be with Social Security Scotland or other providers with which they have engaged. They will identify gaps and we will collate the information and take it back to the Scottish Government.

**Miles Briggs:** As part of data collection, will you also be looking at waiting times for advocates and cancellations?

**Emily Johnston:** We will definitely discuss waiting times, because we want, in the end, to be sure that people are being seen within appropriate timescales.

**Miles Briggs:** Yes—that is important.

Finally, with expansion plans and in the current market, are you finding it difficult to recruit advocates who have the necessary experience? What sort of training have you developed?

**Emily Johnston:** Jonathan has his hand up.

**Jonathan Senker:** Perhaps I can start and then ask Emily to provide additional information.

Broadly speaking, we know that the employment market is difficult for many organisations. We are finding that we are successfully recruiting people who have a remarkable range of skills from their lived experience and their wider lives and career experience. Although, as for every organisation, recruitment is more challenging than it has been in other times, we have not found that to be a limiting factor, at all. We are really proud of the staff team that we have established, and we have been able to fill the posts that we need to fill. We are confident that, in the months and years ahead, we will be able to develop the service so that it meets the needs of the people who come forward to use it.

10:45

Like many organisations, we work to make sure that we are a great place to work in terms of the full range of training that we provide in our core skills in and understanding of advocacy. We make sure that we give the right support and training, so that our staff can effectively support people with their benefits applications and in their interactions with the system. We are looking further at how we can make advocacy an attractive career for future generations. We are doing some early work,

particularly with schools. Emily Johnston will probably want to pick up on that as well as expanding on some of my points.

**Emily Johnston:** We have recently been doing some work with Govan high school. A group of pupils came along for a five-day introduction to advocacy and we gave them some skill sets and certificates at the end. It is our plan to take that work across a further four schools next year.

Miles Briggs asked about training. Our learning and development department has been working closely with Social Security Scotland to make sure that we all have the correct tools to give to people who are coming into the business. When we go through our three-week induction, that is all part of the process. We have also signed up to the Social Security Scotland newsletter, which allows us to attend webinars and keep ourselves abreast of any changes that are coming up.

**Miles Briggs:** That is helpful. Thank you. Are travel costs also covered?

**Emily Johnston:** For the client?

**Miles Briggs:** Either the client or the advocate who is going to visit a client.

**Emily Johnston:** Yes.

**The Convener:** Thank you, Miles. I will now bring in Jeremy Balfour.

**Jeremy Balfour:** If I am honest, I am surprised about the number of people who are working for you. I just did a quick search on Google and there are eight tribunals sitting today, so one sitting per region would mean that half of your staff would be at tribunals. I am therefore wondering about recruitment. I looked at your website yesterday and you are not recruiting any advocates at the moment, but you are recruiting one policy officer. When will the scale-up happen? What is your timescale for recruitment?

**The Convener:** I will bring in Jonathan Senker to answer that, as he has his hand up.

**Jonathan Senker:** We will scale up the service according to the demand that is coming through and when people need the service. We are looking at the figures carefully so that we can anticipate that, and we will make sure that everyone who requests the service can receive it.

Waiting lists were mentioned earlier, but we do not have waiting lists now. Our response times are extremely fast. The model of the service is one that makes sure that the right support goes to the people who approach us. We do not want to employ members of staff while we do not have work for them to do; that is not good use of your funds or of our staff's time and motivation.

Given the relatively low number of referrals, we redirect those members of staff so that they can generate understanding and awareness, which ultimately leads to people requesting the support service.

**Jeremy Balfour:** In your model, where do you expect to be at this time next year, say, with regard to the number of advocates that you have in Scotland?

**Jonathan Senker:** The situation is entirely new for us and for the delivery of benefits in Scotland, so, rather than plucking a figure out of the air or giving a projection that might look convincing on a graph, we are continuously reviewing the uptake of the service and we are recruiting so that we stay ahead of that. Our capacity is not the limiting factor. We are determined to work through networking and links with the Scottish Government and Social Security Scotland to make sure that those numbers increase and that we will be ahead of the curve by making sure that our recruitment is in place.

**Jeremy Balfour:** I have one final question. In your arrangement with the Scottish Government, is the money that you receive based on the number of people that you employ? Is there an upper limit to the number of staff that you can employ under your contract with the Scottish Government? I think that I saw that the figure that you had in mind for that was £20 million in two to three years. Does that depend on the number of staff that you employ?

**Jonathan Senker:** In our overall model, payment is mainly driven by the work that we actually do. There is a certain capacity payment to make sure that our basic systems, processes, staffing and so on are in place, but, overwhelmingly and over time, the service will be demand led and the basis for that is making sure that the money goes on the real delivery of services, support and outcomes for individuals.

**The Convener:** We will now have questions from Pam Duncan-Glancy before we move on to our next theme.

**Pam Duncan-Glancy:** I, too, am keen to know about the number of jobs. When the minister came to the committee, he said that VoiceAbility would create 100 new jobs and that 75 per cent of staff would come from the long-term unemployed. When will those 100 new jobs be available? Mr Senker, I hear your point about the number of staff not being a limiting factor. If there is another limiting factor, it would be helpful to know what it is so that we can help you to address it. If the minister says there will be 100 new jobs and you are saying that the number of jobs will be demand led, I am wondering how long it will take to get to

that point. I think that there will be quite a bit of demand, so it would be helpful to know about that.

**Jonathan Senker:** Thank you for those very good questions. The important thing that we want to drive is the number of people who receive the service, because, like you, we know that the service is needed and that is why our networking and work with Social Security Scotland is so critical.

I understand that the figure of 100 new jobs is the overall envelope or the upper limit of the funding that is available. I believe that the service will be incredibly important and successful, and, like you, I believe that a large number of people will come forward and will want the service. In that case, we will start to move towards having that number of employees.

There is no benefit for people in moving our capacity in a way that goes far beyond current demand. We have started well beyond current demand so that we can use those people to get the word out, but we are really employing all the people to do the work that needs to be done at the moment, and we are looking ahead from that. I could not set a meaningful future date for when we will know that we have hit a particular number of staff, but I can give you the commitment that we will do everything possible to make sure that we always have the staff to respond to people who come forward for the service. Our record so far suggests that we will be able to do that.

**Susan Douglas-Scott:** We are about a fifth of the way to the figure of 100 in a relatively new service. In my experience of working with the Scottish Government and other organisations that have a sponsorship arrangement, we have to evidence that we are spending money effectively. It is a catch-22 situation—until we get the referrals, we cannot draw down the money to employ more people or give evidence that the service is growing. However, that is what we are doing.

As Emily Johnston said, the next recruitment drive is in 2023, so I envisage that we will start to move forward during that year, but progress will be slow and steady as we build the Scottish team and make sure that it is sustainable and that people have positive roles, because then they will stay. As Jonathan Senker said, if referrals do not come through, we will not be able to give staff things to do and they will not be engaged. If we do it in the way in which we are doing it at the moment, by growing slowly but steadily, I am confident that that will offer a sustainable, strong and values-driven organisation.

I have met the team and they are really passionate. It is a fantastic group of people. The world of advocacy tends to be made up of passionate people because they believe in

people's rights. The more that we look after them as a team of employees, the better and stronger the team in Scotland will be as it continues to grow.

**Emily Johnston:** We have five advocates onboarding at this moment in time. As Susan Douglas-Scott has just said, our recruitment campaign will go live just before we break up for Christmas. It will run over the Christmas period and, if we have to run it again, we will do.

We look at our reports every week to see where the numbers are growing significantly, and that is where we will look to bring in advocates to accommodate those numbers.

**Pam Duncan-Glancy:** The figures that we have show that £0.5 million has been spent so far and that there is a projected spend of £20 million over four years. Is that forecast based on the recruitment of a specific number of staff?

**Jonathan Senker:** I believe that the figure of £20.4 million was based on the staffing complement reaching 100 members. That was the linkage there, I think, but I will revert to the committee if there is any gap between that and the actual situation. However, that is my recollection.

**Pam Duncan-Glancy:** I have one further question about training. I appreciate your answers, so thank you.

I know that Susan Douglas-Scott will realise the importance of this next issue, because she has done some of the training in the past. It is important that your organisation and staff have an understanding of the lived experience of disabled people and what that means for a service such as yours. Will you set out the ways in which you train your staff to understand disability equality and what that means? Do you have any relationships with disabled people's organisations that could help with that?

**The Convener:** Jonathan, would you like to come in on that?

**Jonathan Senker:** I am happy to do so, and I will again ask Emily Johnston to add to what I say. As an organisation, we absolutely recognise the importance of disabled people's experience being at the heart of what we do. Our trustee board includes many disabled people, and many of our employees throughout the organisation are disabled people who have that lived experience. We need to, and do, ensure that that is at the heart of our mindset and approach.

We have developed links with many disabled people's organisations in Scotland, including umbrella organisations and organisations that work alongside people on the ground. Emily might want to say a little more about the specific training and the three-week training period.

11:00

**Emily Johnston:** The three-week training period will use e-learning as well as training that we do with our staff, such as disability training. We are also in talks with RNIB Scotland about support with training. We will continue to link with various organisations. Jonathan Senker recently met representatives from Deafblind Scotland, and we will continue to look to work in partnership to ensure that we can deal with clients appropriately.

**Pam Duncan-Glancy:** Thank you. I have no further questions.

**The Convener:** The deputy convener, Emma Roddick, has a brief supplementary question.

**Emma Roddick (Highlands and Islands) (SNP):** I just want to pick up on something that Susan Douglas-Scott said to Pam Duncan-Glancy. Correct me if I am wrong, but it sounded as though there is an expectation that the number of referrals will grow. Is it not expected that the launch of the benefit is where the highest need will be?

**Susan Douglas-Scott:** I am sorry, but I do not understand your question.

**Emma Roddick:** If the number of referrals is to grow in the future, now is not when the highest number of people need support.

**Susan Douglas-Scott:** We expect that the more people apply for benefits, the more referrals we will get. That will also happen when more people get to know about the service. In the population of Scotland, many more people will come forward for adult and child disability benefits and, as those new referrals come through, there might be a time when they do not get through the initial application process or need support with it. That is when they might need independent advocacy. We will see referrals to VoiceAbility's independent advocates continue to grow.

**The Convener:** Jonathan, do you want to come in on that?

**Jonathan Senker:** Susan Douglas-Scott covered it well. There are two factors at play. The first is the availability of benefits and, as the deputy convener pointed out, the critical point in that was the roll-out of ADP. The second factor is the knowledge and awareness of our service, which is growing continuously.

There is also a third factor, which is the degree to which we embed in the working of the social security benefits system the knowledge and understanding of the offer of advocacy. When we look at all those things together, we are confident that the demand on our service will grow as the knowledge and understanding of it does.

**The Convener:** We move on to questions from Paul McLennan.

**Paul McLennan (East Lothian) (SNP):** I want to ask a couple of questions about the monitoring, reporting and evaluation of the service. You have kind of touched on the first question. What formal reporting and monitoring arrangements are in place between you, Social Security Scotland and the Scottish Government?

Emily, I will put that to you first, and I see that Jonathan Senker also wants to come in.

**Emily Johnston:** We produce a quarterly report for the Scottish Government. Every fortnight, we have meet-ups to discuss the service and anything else that the Government can do to support it. Two team leaders from Social Security Scotland have recently attended those meetings to see how else it can support the work that we are doing.

**Paul McLennan:** Jonathan, do you want to come in on that?

**Jonathan Senker:** Emily has covered it perfectly.

**Paul McLennan:** You mentioned the Scottish Government, but does that include Social Security Scotland? Is it involved in the discussions at those meetings?

**Emily Johnston:** Yes—Social Security Scotland attends. If the Scottish Government thought that it would be appropriate for anyone else to attend our fortnightly meetings, it would bring them in.

**Paul McLennan:** Are formal minutes kept?

**Emily Johnston:** They most certainly are.

**Jonathan Senker:** It is important that the social security agency is involved in that continuous liaison. I stress that we are absolutely accountable for the public money that we are spending and for the overall performance of the service. That is why we have robust monitoring arrangements in place. As an independent service, our loyalty is to, and our focus is on, the individuals to whom we provide that service. The relationship is therefore not a reporting relationship in terms of being accountable for how we work with individuals; it is about ensuring accountability for public spending and for our performance, as well as a regular channel that we can use to make sure that we are working together effectively as independent colleagues.

**Paul McLennan:** Thank you for that extensive answer.

The next question moves on from that slightly and is more about how you evaluate service provision. Emily, you talked about involvement with those who have lived experience, and I want to focus on those who have that lived experience being part of the evaluation process. I will come to

Emily first and perhaps Jonathan Senker will want to come in after that.

**Emily Johnston:** After every case closes, we send a survey to ask our clients for information that they want to share with us about the service. As I said, next year we will introduce speak out forums where clients can come to local community centres or other providers that we will be working with to talk about the service that we have delivered and they have experienced, and about their journey through other providers. At the end of the first year of that, we will do an evaluation and send another survey out to clients who have used the service.

**Paul McLennan:** I do not know whether Jonathan Senker wants to add anything to that. Again, it was quite an extensive answer, so thank you for that.

**Jonathan Senker:** I have nothing to add.

**The Convener:** We move to questions from James Dornan, who is joining us online.

**James Dornan:** Thank you, convener, and apologies for the earlier confusion.

I welcome the witnesses and thank them for being here. It is always nice to see Susan Douglas-Scott.

You have been providing the service for 10 months now. What would you say were the one or two things that you have learned in that first 10 months that you would take into the future? I suppose that Emily Johnston might be the one to answer.

**Emily Johnston:** What have we learned? You are right that it is still early days, but, by looking at data that we collate every day, week, month and quarter, we can see that a lot of unrepresented groups are perhaps not engaging with the service. We therefore need to work on that, and we have started working with the Scottish Refugee Council to help us on that.

What else have we learned? We are not seeing a lot of redeterminations coming through, and I can understand that. We need to do more work on that.

**The Convener:** James, do you have anything further?

**James Dornan:** I am sorry. The screen froze and I was not sure whether Emily had finished speaking.

Susan, you have been part of a number of organisations that have worked with the Scottish Government. Could you give me an overview of how things have been going during the past 10 months?

**Susan Douglas-Scott:** I am content with the steady progress. We are building on a solid foundation. As I said, I have met the team and it seems to be very passionate about disabled people's rights and keen to support the people it is working with. Each member of the team has a case load. Although we do not have a huge number of advocates, we will be able to support more people going forward. It is exciting to see a new national service grow.

The other thing that I have enjoyed is seeing the organisation embed itself as part of the landscape of advocacy providers in Scotland. That is important, because it is always difficult. An organisation that has an ambition to be a United Kingdom organisation has to work in each of the four nations. That is our ambition, and I am there to support that as chair of the board. It is great to see that it has landed. Some tricky conversations have been had—as is always the case—about who should be doing what and how we work together but, as an organisation, officers are taking that steadily and leaning into those conversations to put a strong foundation in place for VoiceAbility as an active and committed provider of advocacy services in Scotland. I am excited by it—it is great.

**James Dornan:** That is a positive response.

I have one final question. Do you plan to include in your future annual reports more detail about the use of the service in Scotland, or do you think that the way that is being done now is fine?

**Susan Douglas-Scott:** The annual report belongs to the trustees and the executive of the organisation. It is a high-level reflection of the organisation, so it does not go into a lot of operational detail. We are, however, always content to provide back-up information to anybody who asks for more detail. As Emily Johnston and Jonathan Senker have both said, they are gathering evidence and information, and we will continue to revert to the committee if it needs more information, and to our sponsor team in the Scottish Government. It gets a lot of detail about what is happening on a monthly basis.

**The Convener:** Emily, would you like to follow up on that?

**Emily Johnston:** We will ask the Scottish Government whether there is any further information that it wishes us to provide in the annual report and, obviously, we will be happy to provide that.

**The Convener:** Our next question is from Foyso Choudhury, who is also joining us online.

**Foyso Choudhury (Lothian) (Lab):** The committee has heard all too often that a variety of organisations do not collect data on ethnicity. That

often makes it much harder to find areas in which outcomes are significant for minorities. Is there a way that data on client ethnicity can be collected sensitively by VoiceAbility for future annual reports?

**The Convener:** Whom are you directing that question to, Foyso?

**Foyso Choudhury:** Jonathan Senker.

**The Convener:** Emily Johnston wants to come in first, and then I will bring in Jonathan Senker.

**Emily Johnston:** We collect that information at the moment and it is provided to the Scottish Government. You are right that it is information about protected characteristics that we are collating from our clients, but we give the information to the Scottish Government.

**The Convener:** Jonathan, would you like to follow up on that?

**Jonathan Senker:** Emily is absolutely right. The point in the question is well made and your phrasing of it was also particularly important, because the focus on equality of outcomes and not just equality of access is important to us. It is relatively early for us to draw any conclusions from that beyond the fact that, as Emily indicated, and as with many organisations, we need to do further work to make sure that people from all communities can access the service.

We have developed some strong links that will help us to do that. Emily talked about the Scottish Refugee Council, and I have also been in touch with the umbrella organisation for carers from black and minority ethnic community groups. We will continue to monitor the situation carefully and, more importantly, make sure that we tie that to real action so that we increase equality of access and equality of outcomes.

**Foyso Choudhury:** Thank you very much.

**The Convener:** I now move to questions from the deputy convener, Emma Roddick.

**Emma Roddick:** I have one question left, convener. I want to pick up on Emily Johnston's comments about the speak out forums, which sound like a really good opportunity to value lived experience. Will the impact of those forums be entirely internal or will decisions, changes or even conversations that are held off the back of those forums be shared more widely?

**Emily Johnston:** The information that we collate will be shared with the Scottish Government. Jonathan, would you like to come in and give further information on that?

11:15

**Jonathan Senker:** I will just restate that commitment. We obviously want to learn for ourselves, but we also want to make sure that people's voices are heard across the system. We already have some small but significant examples of how, through people's voices being heard when talking about the issues that they are facing, new issues are being identified—as will always happen in the roll-out of a new system—and the system has been able to respond to make sure that those barriers do not affect other people. Perhaps we could write to the committee about those examples. We are keen to draw in lessons from others through amplifying and bringing together the voices of people who use the support service, and that will not be purely for internal use.

**Emily Johnston:** It is also to help the Scottish Government. We are evolving the service that we are delivering to help the Government to make any changes or identify any gaps. It will also help with any future bids, so it is important that we share that information and make sure that the voices of the people of Scotland are being heard.

**The Convener:** We have one final question from Jeremy Balfour. Please make it quick, Jeremy, as we have just under four minutes left.

**Jeremy Balfour:** One area that we have not covered is the relationships that you have with other advocacy services across Scotland. A constituent who went to one of the local authority services came to me here, in Edinburgh, and told me that the service had a waiting list as long as your arm. Are organisations such as the City of Edinburgh Council's advice shop and other third-sector organisations aware that you are out there? Why do they not refer cases on to you if they cannot take on new cases at the moment?

**Jonathan Senker:** I have been in touch with many of the advocacy, carers and disabled people's organisations in Scotland, as well as the umbrella organisation, the Scottish Independent Advocacy Alliance. We are keen to establish good links to make sure that people are aware of our services and that they can refer people to us. We will continue to work with them to encourage and support them in doing so.

**Jeremy Balfour:** When you are writing to the committee with all the other information that you are giving, could you give us a list of who you have been in touch with across Scotland? There might well be gaps and people such as Emma Roddick might know of organisations in the north of Scotland, for example, that are not well known. If you could give us a list, that would be helpful.

**Jonathan Senker:** I would be very willing to do so.

**Jeremy Balfour:** Thank you, convener. That was within the four minutes.

**The Convener:** That is great, thank you, Jeremy. If the witnesses could follow up by sending us that information, that would be fantastic.

I thank you all for appearing this morning. The committee will now move into private session. Can members who are joining us remotely please use the Microsoft Teams link in their calendars to join the meeting?

11:18

*Meeting continued in private until 11:26.*

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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