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AITHISG OIFIGEIL

# Meeting of the Parliament

Tuesday 13 June 2023

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# Scottish Parliament

*Tuesday 13 June 2023*

*[The Presiding Officer opened the meeting at 14:00]*

## Time for Reflection

### **The Presiding Officer (Alison Johnstone):**

Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is the Rev Nicky Gumbel, pioneer of Alpha.

### **The Rev Nicky Gumbel (Pioneer of Alpha):**

Good afternoon.

I cannot claim to be Scottish, but my mother came from Pittenweem. When I was 14, she told me that my father was German and Jewish, and that I was never to speak to him about it. I never did. More recently, I discovered why she said that. I was contacted by a museum in Berlin that was researching my family. It sent me my family tree, and I discovered that my great-grandfather was called Moses and that my great-great-grandfather was Abraham—not the Abraham. I also discovered the concentration camps in which they had died.

Aged 18, as an atheist at the University of Cambridge, I read the entire New Testament. It was as if the person of Jesus, whom I was reading about, emerged from the pages and I encountered him. That changed my life.

I come from a family of lawyers. My father was a barrister and my mother was a barrister. I practised as a barrister—I did law for 10 years. My sister is a King's counsel. My son and my daughter qualified as barristers, and my grandfathers on both sides were barristers. My uncle was a barrister. If we had had a cat, it would have been a barrister.

As a lawyer, I was fascinated by how much evidence there is for the life, death and resurrection of Jesus. I read that

“God so loved the world that he gave his only Son, that whoever believes in him shall not die but have eternal life.”

As you know, everyone is looking for three things: love, purpose and to belong. I understood that the son of God loved me and gave himself for me. The Holy Spirit gave me an experience of God's love. I found purpose in a relationship with God, and I found the most amazing sense of belonging in the church of Jesus Christ. That was in 1974. Since then, I have spent my time trying to pass on the good news about Jesus.

Life is all about relationships. It starts with knowing that you are loved by God. That is the

motivation to love God and to love others. That also gave me a passion for justice.

In the New Testament, I saw in Romans 13 that government is from God and in Revelation 13 that government is wicked. Some—such as the one my father's family experienced—are entirely demonic. I hope, pray and believe that those who serve here will be as close as possible to Romans 13 and will bring freedom, equality and justice for all.

## Business Motion

14:03

**The Presiding Officer (Alison Johnstone):**  
The next item of business is consideration of business motion S6M-09497, in the name of George Adam, on behalf of the Parliamentary Bureau, on a change to the business programme.

*Motion moved,*

That the Parliament agrees to the following revisions to the programme of business for Tuesday 13 June 2023—

after

*followed by* Education, Children and Young People  
Committee Debate: College  
Regionalisation

insert

*followed by* Appointment of Junior Scottish Minister

delete

5.00 pm Decision Time

and insert

5.10 pm Decision Time—[George Adam.]

*Motion agreed to.*

## Topical Question Time

14:04

**The Presiding Officer (Alison Johnstone):**  
The next item of business is topical questions. As ever, it would be appreciated if members could keep questions and responses short and concise.

### Deposit Return Scheme (Compensation)

1. **Jamie Halcro Johnston (Highlands and Islands) (Con):** To ask the Scottish Government what economic impact it expects businesses across Scotland to experience as a result of its decision to not provide compensation for the delayed deposit return scheme. (S6T-01455)

**The Minister for Green Skills, Circular Economy and Biodiversity (Lorna Slater):** We have been left with no option other than to reset the timescale for the deposit return scheme and to delay its launch to October 2025 at the earliest, which is when the United Kingdom Government says that it aims to launch its own scheme. That is a consequence of a decision by the UK Government to impose only a partial exclusion from the United Kingdom Internal Market Act 2020 for deposit return, forcing a last-minute change of scope in Scotland's DRS, and creating new, vague and undeliverable conditions for interoperability with schemes in the rest of the UK that do not even exist yet.

The overwhelming feedback from businesses was that, given that last-minute imposition by the UK Government, a March launch was no longer possible. A considerable majority of businesses called for the reset of the date to match that of the UK's stated target of a launch in October 2025 at the earliest, in order to reduce the impact of the UK Government's decision at the 11<sup>th</sup> hour.

**Jamie Halcro Johnston:** I am not sure that any of that answered the question that I asked.

Businesses are reported to have invested as much as £300 million to prepare for the scheme, not because they wanted to, but because the Scottish Government required them to. That investment, which was made in good faith, has now been put at risk because ministers did not do the work that was necessary to prepare for the scheme, and then refused to listen to businesses when it was clear to everyone—except Lorna Slater, apparently—that the roll-out was a shambles.

Throughout the process, the minister has seemed unable to give any answers on the scheme other than those in the prepared responses written in her folder. Can she tell us how much the Scottish Government estimates

businesses have already invested in the scheme, which they are now unlikely to see any return on for some time?

**Lorna Slater:** The member made several points. The accusation that we did not do the work is absurd. The regulations were passed by the Scottish Parliament in 2020, before the United Kingdom Internal Market Act 2020, which was passed in December 2020. In 2021—the very next year—I started the process to get the exclusion from the act. It was not until nearly two years later—after January 2023—that the first question was even raised about whether the Scottish Parliament might not be able to continue to deliver our deposit return scheme because of the 2020 act.

I am familiar with the number that Jamie Halcro Johnston quotes; we estimate that about £300 million has been invested in the deposit return scheme by businesses in Scotland. We know that jobs have been created, infrastructure has been installed, and information technology systems were getting up and running as we worked towards our launch date.

It is frustrating for all of us that those impossible conditions—to match a scheme that does not yet exist—have been imposed on us. For example, the UK says that we have to match its deposit, but what is its deposit? Our deposit is 20p, but the UK Government has not said whether its deposit will be 10p, 20p, 30p—we have no idea. It is an impossible situation for us. We recognise how frustrating that is for Scottish businesses.

**Jamie Halcro Johnston:** In committee this morning, Lorna Slater told my colleague Liam Kerr:

“We do not consider that any action that we have been required to take gives rise to any obligation for us to pay compensation.”

Can the minister confirm that that comment is the result of legal advice received by the Scottish Government? Without reverting to the usual attempts at constitutional grievance as deflection, will the minister tell me what personal responsibility she takes for the failure of the roll-out? Given the Scottish Government’s refusal to compensate out-of-pocket businesses for her decision to delay the scheme, and with business confidence in her at rock bottom, why does she think that she is the person to take the scheme forward?

**Lorna Slater:** I will try to address as many of the member’s points as I can. The member asked about what I said this morning—that we do not consider that any action that we have been required to take gives rise to any obligation to pay compensation. I am happy to reiterate that statement. It is a long-established position that the

legal advice that the Scottish Government receives is not published. The Scottish Government has received—*[Interruption.]*

**The Presiding Officer:** Please listen to the minister. Minister, I ask you to be as brief as possible.

**Lorna Slater:** The Scottish Government has received legal advice on matters relating to the DRS on an on-going basis as appropriate, including prior to any changes to the scheme being announced.

On the member’s final question about the deliverability of the deposit return scheme, I will put before the chamber once again the three conditions that make it impossible for us to continue to deliver the scheme if we are to align with a UK scheme that does not exist.

There is the matter of the deposit, which I have set out. With what are we intended to align, since the UK has not raised it? There is the matter about the miniature sizing and the matter—*[Interruption.]* The UK has not said what size products will be in the scheme. How can we tell businesses to prepare when the UK has not said what will be included in the scheme?

On the matter of labelling, our regulations do not say anything about labelling. It is not possible for me to deliver a scheme that might include requirements for labelling when I do not know what those are and this Parliament does not have devolved powers on labelling.

It is for the UK Government to take responsibility for its decisions and for setting those impossible conditions on us.

**The Presiding Officer:** Thank you, minister. At this point, I state again that we have a great deal of interest in both topical questions this afternoon. I will simply have to exclude many members if we do not have concise questions and responses.

**Sarah Boyack (Lothian) (Lab):** In written answers to me, the minister has indicated that industry has invested about £380 million in the scheme. Inflation, the cost of living crisis and on-going Covid recovery mean that businesses are taking an even bigger hit than before. How confident is the minister that the £380 million figure that she has mentioned is the total amount of investment that business has made?

In the minister’s discussions with businesses, have any of them raised concerns over their long-term survival and how they plan ahead, given the up-front costs—which they have already paid in good faith—of implementing this chaotically handled scheme?

**Lorna Slater:** I absolutely appreciate the investment that Scottish businesses have made in

good faith. We intend to deliver a deposit return scheme as soon as we can. Currently, that will depend on the UK Government's timeline. It has said that it is aiming for October 2025, so that is when we will aim to go live.

On discussion with business, immediately after we found out about the partial temporary exemption from the United Kingdom Internal Market Act 2020, I met businesses—the First Minister and I met businesses. Overwhelmingly, in that discussion, businesses said that their preference was to align with the October 2025 date. We have listened to what businesses want to do in order to deal with the situation that we have been put in because of the partial temporary exclusion.

**Ariane Burgess (Highlands and Islands) (Green):** At the very last minute, the UK Government at Westminster not only vetoed this Parliament's decision to include glass in Scotland's deposit return scheme but imposed a number of other requirements, including harmonising the deposit. Does the minister agree that those requirements were designed to make Scotland's scheme undeliverable and that the chaos that it has caused was the UK Government's very intention? *[Interruption.]*

**Lorna Slater:** Despite the chuntering to my right, I have outlined very clearly to this—

**Stephen Kerr (Central Scotland) (Con):** To your left.

**Lorna Slater:** Sorry—to my left. Thank you.

Despite the chuntering to my left—

**Stephen Kerr:** There is the answer!

**Lorna Slater:** Despite the chuntering to my left—*[Interruption.]*

**The Presiding Officer:** Thank you.

**Lorna Slater:** I have outlined very clearly to this chamber the impossibility of the conditions that the UK Government has set upon us.

The UK Government has not even decided on those details yet. How can we set the same level of deposit as England when it cannot say what that deposit will be? How can we expect businesses to prepare without knowing one of the most fundamental details of a deposit return scheme? That alone would make a March 2024 launch unworkable, given that no guarantees could be given to us that we would not have to change the deposit even after that date.

The Westminster Government knows full well the uncertainty that that creates. If there is one thing that every single business is agreed on, it is that certainty is needed. How can we ask them to go forward with a launch when we cannot even tell

them the basics such as what the deposit might be?

**Liam Kerr (North East Scotland) (Con):** Some businesses say that they will demand compensation, and the minister says that the Scottish Government is not liable to pay compensation. If, as has been suggested, this results in litigation, from which budget will the Scottish Government meet its legal costs and any award, and how much of a contingency has been made for that?

**John Swinney (Perthshire North) (SNP):** Hypothetical.

**The Cabinet Secretary for Social Justice (Shirley-Anne Somerville):** That is totally hypothetical.

**Lorna Slater:** That is, indeed, absolutely a hypothetical question. Although we recognise the steps that businesses have taken to be ready for deposit return, ministers were required to respond to the significantly changed circumstances brought about by this late and partial temporary exclusion from the United Kingdom Internal Market Act 2020. We do not consider that the action that we have been required to take gives rise to any obligation to pay compensation.

**Jackie Dunbar (Aberdeen Donside) (SNP):** Businesses in Europe are running schemes similar to the one that this Parliament has approved. Deposit return schemes that include glass exist in countries such as Denmark, Estonia, Germany and Latvia.

This is just another power play from the UK Government aimed at keeping Scotland bound to the economically devastating bandwagon of Brexit Britain. Does the minister agree that we can no longer afford to leave Scotland's desire to live the values of a progressive nation in the hands of Westminster Tories?

**Lorna Slater:** Absolutely. Many deposit return schemes already operate successfully across the European Union, and our scheme was modelled on those schemes, most of which include glass, because the economic and environmental case for including glass is clear.

It is important to note that, even within the EU, deposit return schemes vary in terms of the level of deposit and the scope of what is covered. Although having different deposit return schemes within the EU single market is not an issue, the UK Government has unilaterally decided that such variance within the UK would be so unacceptable that it has overruled the Scottish Parliament, with no evidence to support its last-minute decision. Look at the chaos and damage that it has caused. I have no doubt that, if Scotland is to take the action that is needed to protect our environment,

the power to do so needs to be in the hands of Scotland, not Westminster.

**The Presiding Officer:** We are very tight for time this afternoon, and there is considerable interest in question 2.

### **Scottish Fire and Rescue Service (Withdrawal of Appliances)**

2. **Katy Clark (West Scotland) (Lab):** To ask the Scottish Government whether it has carried out an impact assessment of the reported withdrawal of appliances by the Scottish Fire and Rescue Service from stations across the country. (S6T-01438)

**The Minister for Victims and Community Safety (Siobhian Brown):** The number and location of fire appliances that are needed to keep communities safe are operational matters for the Scottish Fire and Rescue Service. I have been assured that, in reaching the decision to temporarily withdraw 10 of its 635 operational appliances from service, the SFRS has thoroughly assessed the impact. The SFRS board considered historical deployment data and a robust assessment of the risks present in the communities that the fire stations cover. The SFRS is continuing to engage with its staff and local communities on the proposals prior to their introduction in September.

Firefighters play a vital role in protecting our communities and promoting safety, and I expect the Scottish Fire and Rescue Service to continue to deliver a high standard of service in order to keep communities safe.

**Katy Clark:** It has been announced that fire appliances will be withdrawn temporarily from Greenock fire station and nine other stations across Scotland. The Scottish Fire and Rescue Service estimates that it needs to make £36 million in cuts. Surely the current wildfires show that we need to build resilience in our fire service, not cut it.

**Siobhian Brown:** The Scottish Fire and Rescue Service budget has not been cut. We are providing it with an additional £14.4 million in 2023-24. However, in the current economic climate, pay and other inflationary pressures mean that the SFRS still requires to look for savings in order to deliver a balanced budget. That is not simply about just budget savings. Currently, the SFRS has in the region of 635 operational fire appliances across Scotland, and this modest reduction will allow the SFRS to ensure that full crews are available and that more of the remaining 625 operational appliances are always available for deployment.

**Katy Clark:** Responses to freedom of information requests show that about 45 per cent of the fire service estate is assessed as being in a

poor or bad condition, and the Scottish Fire and Rescue Service chief officer cited a £630 million backlog in the service's capital budget. Will the Scottish Government commit to an emergency funding package for the fire service?

**Siobhian Brown:** The safety and welfare of staff is paramount, and the Scottish Fire and Rescue Service continues to invest in the repair and maintenance of its buildings so that it can deliver services to communities across Scotland. We will continue to work closely with the SFRS to identify the capital funding that it needs for buildings, fleet and equipment.

The fire stations with the fewest facilities are in remote locations and deal with very few incidents. The Scottish Fire and Rescue Service has introduced procedures to ensure that firefighters in those locations have workable solutions to ensure that contaminated personal protective equipment, for example, is dealt with safely.

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** High-rise buildings in my constituency require two fire appliances to attend before any blaze is tackled. However, it is proposed that Maryhill station will become a single-appliance station. I met local firefighters who are concerned that that could lead to delays in tackling such fires, and I share those concerns. Given those concerns and that there has been a lack of consultation—there has been no consultation—and an absence of data given to firefighters, does the minister agree that the process should be suspended and that a fresh safety review should be conducted?

**Siobhian Brown:** These Scottish Fire and Rescue Service temporary changes have been based on data and the premise that there should be no increased risk to the public or to firefighters. The SFRS has a predetermined response to high-rise fires. That response is already provided from multiple fire stations, and that will not change. Any large-scale incident will be quickly responded to with the necessary resources, including specialist high-reaching appliances from the local area and beyond. It remains the position that, in the event of a fire in a high-rise building, the SFRS will undertake a rescue of any person who is unable to self-evacuate and who is affected by fire and smoke.

It is important to emphasise that the SFRS does not respond to incidents from one single fire station. Operation control deploys the appropriate level of resources to every incident, based on predetermined response levels.

**Jamie Greene (West Scotland) (Con):** I think that the general public will be extremely concerned and worried about what they are hearing in the chamber today. The reality is that our fire service

faces hundreds of millions of pounds of backlog maintenance, and it made clear to the Parliament's Criminal Justice Committee the direct effect that current funding arrangements would have on the availability of appliances. Can the minister give a categorical assurance to members of the public who are listening to this that no one will be put at risk of harm as a result of these cuts to services?

**Siobhian Brown:** I have been assured by the Scottish Fire and Rescue Service that that is the case. The resource budget was increased by £10 million in 2023-24. As I said, the SFRS needs to make some savings due to pay and other inflationary pressures.

**Willie Rennie (North East Fife) (LD):** The minister is reading her brief very closely, but I do not think that she really understands the extent of the cuts that are being proposed across Scotland. In Fife, we are to lose four appliances in different towns. The station in Methil, which is near my constituency of North East Fife, covers that area when the retained services are offline. If there is only one appliance at Methil, what will happen to North East Fife? What can the minister say to my constituents about their safety if one appliance is cut?

**Siobhian Brown:** From memory, I think that the figure is three appliances in the member's area. The SFRS has for some time faced challenge and has been unable to fully crew all appliances at all fire stations due to a range of factors, including absences and vacancy. That results in a need to deploy firefighters from other stations to crew priority appliances, which has additional overtime cost and creates uncertainty for individual firefighters about the station that they will operate out of in any given shift. The current initiative to temporarily withdraw a number of appliances from service is a tool to secure efficiencies and resolve the issue of appliances being taken off the run on that basis.

**Claire Baker (Mid Scotland and Fife) (Lab):** There are serious concerns about the number of cuts that we are facing in Fife—I think that 40 per cent of the cuts are happening in Fife alone, and that is after a significant number of fires in the area in recent months. If the changes are a temporary measure, what has to happen in Fife for the service to be returned to what we have now? I have real concerns that the changes will lead to insufficient cover and that the service will have to demonstrate that there have been difficulties with that insufficient cover.

**Siobhian Brown:** As I said to Mr Doris, it is important to emphasise that the SFRS does not respond to incidents from one single fire station. Operation control deploys the appropriate level of

resources to every incident, based on predetermined response levels.

**The Presiding Officer:** We are very tight for time this afternoon, and we are already over time, so we will move on to the next item.

## Child Poverty

**The Presiding Officer (Alison Johnstone):** The next item of business is a statement by Shirley-Anne Somerville on the tackling child poverty delivery plan annual progress report for 2022-23. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:24

**The Cabinet Secretary for Social Justice (Shirley-Anne Somerville):** Tackling poverty and protecting people from harm is one of the three critical missions for this Government. It is a shared endeavour across all portfolios—and, indeed, across Scotland. I want to be unequivocally clear from the outset that this Government is committed to driving forward action at the pace and scale that is required to ensure that our statutory child poverty targets are met.

Today, several documents have been published. I have published the annual progress report on child poverty for 2022-23. That reflects the initial implementation of actions set out in “Best Start, Bright Futures”, our second tackling child poverty delivery plan, which was published last March, alongside additional action taken during the reporting year to strengthen protections in response to the cost of living crisis. In addition, recommendations from the poverty and inequality commission were published today, which I welcome.

Alongside the progress report, we have published updated modelling. That estimates that, as a result of our policies, around 90,000 fewer children are expected to live in relative or absolute poverty this year, with levels of relative and absolute poverty 9 percentage points lower than would otherwise have been the case. That includes lifting an estimated 50,000 children out of poverty through investment in our Scottish child payment.

That considerable impact reinforces the importance of our actions to reduce child poverty. It also shows what we can do to tackle child poverty head on within our limited powers and fixed budget, and shows that we can make a difference. I am, however, acutely aware that I am doing so with one hand tied behind my back. It is only with the full powers of an independent nation—*[Interruption.]*—that Governments can use all levers such as economic, social security and employment to tackle poverty and inequalities. *[Interruption.]*

**The Presiding Officer:** Members! I am sorry, cabinet secretary. I remind all members that there should be no interventions or interruptions.

**Shirley-Anne Somerville:** Thank you, Presiding Officer.

Recently we have seen a cost of living crisis and the most challenging economic conditions in living memory, which no one predicted when “Best Start, Bright Futures” was published. That has caused unprecedented hardship. Spiralling energy costs have led to people having to choose between heating and eating, with United Kingdom Government support for energy bills being withdrawn in March. Soaring inflation has caused food prices to increase by nearly 20 per cent over the past year—and considerably more for some staples.

Continually rising costs, due to UK Government decisions including the £100 billion cost to the UK economy of a hard Brexit, economic mismanagement under the Liz Truss Government and the on-going impact of a decade of austerity, have resulted in even greater pressure on public service finances and pushed low income families to breaking point. In the face of that challenge, we have had to make difficult decisions in order to prioritise immediate support for the people most impacted by the cost of living crisis, as well as to meet our requirements to deliver a balanced budget—a budget that has also been reduced due to inflation.

As the report sets out, we estimate that £3 billion was invested across a range of programmes targeted at low income households last year, with £1.25 billion directly benefiting children. That represents increases of £0.43 billion and £0.15 billion respectively, compared with 2021-22, and vital support at a crucial time for households.

The report provides the latest child poverty statistics, which relate to 2021-22 and the final year of our previous tackling child poverty delivery plan. Although trends for poverty rates are stable on three target measures, including relative and absolute poverty, there is a low upward trend in persistent poverty. However, those levels do not yet capture the impact of the expansion and increase in value of the Scottish child payment, alongside other measures reflected within the modelling published today.

The annual progress report sets out that, as a result of action taken in 2022-23, 40 of the 101 actions set out in “Best Start, Bright Futures” are complete or on-going, with a further 39 in progress and 19 in the early stages of development. The report also outlines the action that we have taken to provide immediate support to families as part of our overall approach to tackling child poverty.

We doubled our Scottish child payment to £20 a week from April 2022, delivered our planned expansion to under-16s and provided a further

increase to £25 a week in November last year. That was described by anti-poverty organisations as “a watershed moment” for tackling child poverty in Scotland.

That was an increase of 150 per cent over eight months. It means that our five family payments, including the Scottish child payment, best start foods and best start grants, could be worth more than £10,000 by the time an eligible child turns six—over £8,000 more than is available for families in England and Wales—and more than £20,000 by the time an eligible child is 16.

By the end of March, 303,000 children were in receipt of the Scottish child payment, very close to the predictions of the Scottish Fiscal Commission. However, we are not complacent and we are committed to doing everything that we can to ensure that eligible families take up that unparalleled support.

Over 2022-23, we invested £84 million in discretionary housing payments to support people with housing costs and mitigate the UK Government’s bedroom tax. We also worked with our local authority partners to mitigate the UK Government’s unfair benefits cap as fully as possible within devolved powers, backed by £8.8 million this year and last. That is expected to help up to 4,000 families with around 14,000 children, many of them lone-parent households who are disproportionately impacted.

In the past year, we also acted to increase the value of eight Scottish Government benefits by 6 per cent from 1 April 2022—almost double the planned rate—and further increased 12 benefits by 10.1 per cent from April this year, providing more money to people who need it most.

Despite the significant pressure facing the Scottish budget, we took the opportunity to go further where we could through our emergency budget review, increasing the immediate support available to families. That included doubling the final bridging payment in December 2022 to £260, with payments made in 2022 putting a total of £92 million in the pockets of the families of around 143,000 school-age children at a time when they needed it most. We doubled investment in our fuel insecurity fund to £20 million, helping tens of thousands of people to meet their energy costs, and will triple it to £30 million in the year ahead. In addition to increasing investment for our Scottish welfare fund, committing £1.4 million for the islands cost crisis emergency fund and providing £1.8 million to tackle food insecurity, we introduced emergency legislation to give tenants increased protection from rent increases and evictions.

We have also taken important steps to deliver change in the longer term. For example, in early

years, we have set out our approach to expanding our childcare programme over the rest of this session of the Parliament and commenced early phasing of community-level systems of school-age childcare with a further £15 million committed for that important work in the year ahead. To help to drive forward the whole-system change that is needed, we established new pathfinder approaches in Dundee and Glasgow and invested £32 million of whole-family wellbeing funding to help to deliver a long-term shift towards earlier, preventative intervention for families.

Although we have made vital progress, we recognise that the challenging circumstances of the past year have meant that it has not been possible to deliver the levels of investment in key measures that were anticipated when “Best Start, Bright Futures” was published. That included making the difficult decision to reallocate funds from our employability services to enable us to respond to the cost of living crisis. However, in the year ahead, we will make up to £108 million available for the delivery of employability support and will work with partners to significantly increase the reach of our services.

Scotland’s public finances are under more pressure than at any time in the Parliament’s history. We fully recognise that tough choices will need to be made about existing budgets to drive the progress that is needed, including looking at how we target our investment to deliver the greatest impact, and we will not shy away from the hard choices and tough decisions that will be needed. At the anti-poverty summit that the First Minister convened in May, our stakeholders, partners and people with lived experience reinforced the point that the approach that we are taking is the right one and that we must continue to deliver with the urgency, pace and scale that are required.

We are determined to do more to tackle and reduce child poverty. As is clear from what I have outlined, in the past year, despite the challenges of our economic and budgetary circumstances, we have taken action to tackle child poverty head on and progressed the actions set out in “Best Start, Bright Futures”. We have provided immediate support to families that are impacted by the unprecedented cost of living crisis and have gone further to increase protections for families and mitigate the harm of UK Government policies. The modelling that was published today reinforces the point that we are not just holding back the tide of poverty in Scotland but turning it, with 90,000 fewer children expected to live in poverty this year as a result of the measures that we are taking.

We are committed to further investment in the coming year to accelerate progress and will strengthen our partnership approach, including

through our new deals for business and local government. As a Government, we will continue to do everything in the scope of our limited powers and fixed budget to ensure that the statutory child poverty targets are met and to drive forward progress with urgency and at the scale required. We will also continue to make the case for the full powers of a normal nation so that we can fully tackle poverty and create the fairer nation that we all long to see.

**The Presiding Officer:** The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business. I would be grateful if members who wish to put a question were to press their request-to-speak buttons now.

**Meghan Gallacher (Central Scotland) (Con):** The Scottish Government claims that it has one hand tied around its back, yet it is one of the most powerful devolved Governments in the world, if not the most powerful. This is the same Scottish National Party Government that claimed that it could set up an independent country in 18 months, yet it will take nearly nine years for it to fully use devolved welfare powers, after handing responsibility back to the UK Government.

Turning to children in temporary accommodation, organisations such as Shelter Scotland, Poverty Alliance and Crisis have warned ministers about the record number of children in Scotland who are trapped in temporary accommodation. That number is up 120 per cent since 2014. The SNP-Green record on the issue is shameful.

The Scottish Government always tries to pat itself on the back when it comes to tackling child poverty and inequality, but Shelter has said:

“We cannot tolerate inaction any longer. Too many children are paying the price.”

What is the cabinet secretary’s response to that comment, and why has her Government not done enough to support children who are trapped in temporary and emergency accommodation?

**Shirley-Anne Somerville:** I am perhaps not surprised but am still astonished at the sheer brass neck of a Scottish Conservative member of the Scottish Parliament saying that we should be doing more. I will give one example of how that is difficult. At the same time that we doubled the Scottish child payment to £20 pounds per week per eligible child, the UK Government cut universal credit by the same amount.

Imagine if, for a change, the people of Scotland had two Governments trying to tackle child poverty rather than just one. I will give one example—I could give more, Presiding Officer—about how it is

very difficult to alleviate child poverty when there is one Government in Scotland that is not just doing nothing but actually has policies that push children into poverty. On the facts of affordable housing, yes, we are very committed to ensuring that we as a Government are alleviating the number of people, particularly children, who are in temporary accommodation. The Minister for Housing will say more in due course about the actions that will be taken. From April 2007 to the end of December 2022, we delivered 118,124 affordable homes to ensure that we were helping people who required that assistance. I say again, to provide context, that we have delivered more than three times as many socially rented homes per head of population than the UK Government has done in England over that period.

**Paul O’Kane (West Scotland) (Lab):** Although we should all welcome the new modelling that predicts that 90,000 fewer children are expected to live in poverty, it is deeply concerning to see that there is an upward trend in levels of persistent poverty across Scotland. That needs serious and focused action in order for the Government to meet the targets that we agreed across the Parliament, and any issues and current interventions must be dealt with speedily.

I have previously raised the issue with the First Minister of the disparity between eligibility for and uptake of the Scottish child payment, with up to 60,000 children in Scotland facing the possibility of missing out on receiving the payment. What action has the cabinet secretary taken to address those concerns, and will she continue consider the idea of automating that payment?

It is revealing that the cabinet secretary was only five paragraphs into the statement on child poverty before she shifted the focus back on to the constitution. The reality is that people across Scotland are being failed by two Governments who are too focused on their own internal issues rather than on relentlessly tackling poverty. Will the cabinet secretary focus on the detail of eradicating child poverty and outline to the chamber how the new modelling will affect the Scottish Government’s ability to hit its own targets on absolute poverty, relative poverty and persistent poverty?

**Shirley-Anne Somerville:** There were a number of points in there. I will try to cover as many as I can in the time that I have.

Paul O’Kane rightly points to the really concerning figures about persistent poverty, which I absolutely recognise. He points to the work that the Government needs to undertake around the uptake of the Scottish child payment. I add another layer to that, which is about the uptake of universal credit. Some work has been published recently that shows that there are many families

across Scotland that could be eligible for universal credit but that have not taken it up.

In the context of the Scottish child payment, there have been marketing campaigns before, and we are keen to do more this year to ensure that take-up by those eligible is further improved, particularly among the six-to-16s age group, for which the number is slightly lower than for the under-sixes, the payment for which has been in place for longer.

I say with the greatest respect to Paul O'Kane that this is not a discussion about the constitution; it is about the context, and the context that we are in is very important when it comes to alleviating child poverty—the UK context is very important.

I point out gently to Paul O'Kane—I am quite happy to be corrected on this if I am wrong—that, on aspects around welfare, it does not appear at this stage that there would be any change in some of the most concerning policies if Labour got into power. We would still need to mitigate the benefit cap, issues around the two-child clause and the impact of discretionary housing payments if Labour got into power. There is genuine sadness about that genuine context, which this Parliament needs to take into account. Paul O'Kane might not like the fact that his party at UK level is not changing its welfare policies—I would encourage him to ensure that it does—but it is important that we take account of that context.

**The Presiding Officer:** Before we go on to the next question, I suggest to members that we get out of the habit of commenting constantly when other members are on their feet, whether putting or responding to questions. It is wholly at odds with the requirements of the code of conduct.

I am aware, too, that there are many members who wish to put a question, so we will need to pick up the pace.

**Collette Stevenson (East Kilbride) (SNP):** Witnesses at the Social Justice and Social Security Committee have told us about the challenges of the UK welfare system. Will the cabinet secretary provide data on the impact of UK Government policies on child poverty in Scotland and outline how the Tories' actions are hampering Scottish Government policies?

**Shirley-Anne Somerville:** I again hear groans coming from the Scottish Tories. They might not like the question or, indeed, the answer, but the context is important. The decade of austerity and welfare cuts has been hugely damaging and is driving more people into poverty.

Analysis that was published by the Scottish Government last year showed that reversing key UK Government welfare reforms that have occurred since 2015 would put £780 million into

the pockets of Scottish households and lift an estimated 70,000 people in Scotland out of poverty. That is the damage that UK Government policies are doing to the people of Scotland.

**Stephen Kerr (Central Scotland) (Con):** The first two thematic areas in the progress report are related to employment. The Scottish Government itself has said that employment remains the best route out of poverty. I completely agree, so why is the Scottish Government cutting funding on skills and for college and apprenticeship places; creating uncertainty around funding for the developing the young workforce programme; slashing employability support; and cutting university funding? Why did the Withers review conclude that the SNP Government has failed to provide decisive leadership or direction in any of those areas over the past 16 years?

**Shirley-Anne Somerville:** I have missed my exchanges with Mr Kerr since I moved on from the education portfolio. Let me remind him of some of the challenges that we still have. The real challenge in what we want to do, particularly around fair work and ensuring that work pays a respectable and fair wage, is that employment law is reserved. If employment law were devolved to the Scottish Parliament, we could be doing so much more.

For the sake of time, however, we have had a list of aspects that Mr Kerr says the Scottish Government should be spending more on. Incidentally, he is also the person who thinks that we should be raising less tax, which would decrease yet further the amount of money that we have to spend. Once again, we have a litany of things that we should be spending money on, a demand that we should actually be raising less in taxation and an expectation that the Scottish Government should somehow balance a budget. That says all that we need to know about the literacy of Mr Kerr's economic plans.

**John Swinney (Perthshire North) (SNP):** The survey evidence charted in the delivery report indicates that 97 per cent of parents and carers of three to five-year-olds who use early learning and childcare are satisfied with the quality of that provision. Given that, how will the superb roll-out of the early learning and childcare programme by the Scottish Government and our local authority partners influence the future development of early learning and school-age childcare programmes that are viewed by the overwhelming majority of parents as being beneficial in helping them to enter the labour market?

**Shirley-Anne Somerville:** Mr Swinney is right to point to the very high levels of satisfaction with early learning and childcare here, in Scotland. This is the only part of the UK to offer 1,140 hours per year of funded ELC to all three and four-year-olds

and to eligible two-year-olds, putting the child first. We are making about £1 billion-worth of investment in that, saving families £5,000 per eligible child per year. That success, which a number of ministers—including Mr Swinney—should take some credit for is something that we are absolutely determined to build on as we look to improve what is already the most generous system of ELC to be provided in the UK.

**Pam Duncan-Glancy (Glasgow) (Lab):** Last week, councils were informed by the Convention of Scottish Local Authorities that the funding that it expected from the Scottish Government to support the holiday food programme would not be forthcoming. Councils were left scrambling around their already stretched budgets as they looked for other money to cover the shortfall in order to ensure food for 27,000 children this summer. Even as we passed the date on which the funding payment was made last year, the Government still refused to give any indication of funding, limiting councils' ability to plan. Then, at the 11th hour, it dealt that devastating blow.

The cabinet secretary has just said that the Government will not shy away from hard choices and tough decisions. Does she really believe that removing funding, and potentially leaving many families struggling to feed their children this summer, is justifiable?

**Shirley-Anne Somerville:** As the First Minister announced at the beginning of April, we are investing £15 million this year in building a system of school-age childcare. He noted that that investment should be targeted at the families who need it most. Our priority now is to support and deliver meaningful and lasting change for families and communities by building a system of school-age childcare that provides care before and after school as well as during the holidays. That system must recognise the need for reliable childcare before and after school during term time as well as for full days during the holidays. That is where our focus has been shifted.

If Ms Duncan-Glancy wishes further expenditure to be made, I humbly suggest that she might also have to suggest where the money for that would come from.

**Fulton MacGregor (Coatbridge and Chryston) (SNP):** According to researchers at the London School of Economics and Political Science, UK households have paid £7 billion since Brexit to cover the extra costs caused by trade barriers on food imports from the European Union. We know that more people are now in need of food banks, although data from the Trussell Trust indicates that the Scottish child payment may have helped to slow the pace of demand for emergency food parcels here, in Scotland, during the past year. What impact is the rise in costs having on

the Scottish Government's ability to tackle child poverty?

**Shirley-Anne Somerville:** As I said in my opening statement, the hard Brexit chosen by the Scottish Conservatives and now supported by the Labour party has had, and will continue to have, a devastating impact on families right across Scotland. Brexit has led to increased inflation and prices, which has had the impact on families that we see in the figures released today.

Those rising costs and inflation have also had an impact on our ability to tackle poverty, and we have had to make tough choices to rebalance the Scottish budget, which was estimated to be worth £1.7 billion less in November 2022 than it was worth when it was introduced to Parliament, in December 2021. That is another example of how exceptionally difficult it is for this Government to assist people as much as we would like to, although we are determined to do so and to meet our statutory targets.

**The Presiding Officer:** Parliament has agreed that this item of business should finish in approximately half a minute, but several members still wish to put questions. If members can keep their questions and responses concise, we will endeavour to get more questions in.

**Willie Rennie (North East Fife) (LD):** The reports are a difficult read. On some measures, poverty is stable. On others, particularly for persistent poverty, there is an upward trend despite the Scottish Government spending a significantly increased amount of money on social security. How much does the cabinet secretary estimate it would cost to completely eradicate child poverty?

**Shirley-Anne Somerville:** Mr Rennie poses a hypothetical question, but an interesting one. What makes it more difficult—before anyone groans, I note that I am providing the context that we are working in—is that we are working to mitigate and take people out of child poverty but we are seeing the implications of policies elsewhere that are dragging people back in.

How much we have to spend very much depends on, for example, whether the UK Government will take action to have a real living wage right across the UK, to ensure that we deliver a meaningful way out of poverty when people go into work. That is just one reason why I cannot give a specific answer to the question. I hope that the modelling that we have presented today will help us along the way.

**Evelyn Tweed (Stirling) (SNP):** A report from the Child Poverty Action Group shows that the cost of bringing up a child in Scotland will be lowered by 31 per cent, or nearly £24,000, through the doubling of the Scottish child payment and

delivery of the expansion of free school meals. If that is what can be achieved with limited resources and powers, how much further could we go if we had full powers?

**Shirley-Anne Somerville:** As we have demonstrated in the modelling that has been published today, the Government's focus on tackling child poverty is making a significant difference. The impact of not just the Scottish child payment but the 1,140 hours is very significant.

One of the real challenges with the powers that we have is our constant requirement to mitigate, whether that is against the benefit cap or other aspects of the current UK system that make it very difficult for us to be able to lift children out of poverty. I ask members to imagine the debate that we could have in this chamber if we did not have to spend that money mitigating but could use it to lift more children out of poverty more quickly than we can at the moment.

**Miles Briggs (Lothian) (Con):** In 2016, SNP ministers pledged to deliver a national allowance for children living in kinship care. Kinship carers play a vital role in providing caring and nurturing homes. Why have ministers failed to deliver on their 2016 pledge?

**Shirley-Anne Somerville:** I thank Miles Briggs for his continuing interest in that really important issue, which I have discussed with him previously. I know that he knows that it is not simply about the Scottish Government—we are also working with COSLA and local authorities to put that allowance in place. I am happy to ensure that the minister with responsibility for kinship care gives him an update on where those negotiations are at this time.

**Maggie Chapman (North East Scotland) (Green):** I thank the cabinet secretary for advance sight of her statement. Increased problem debt is likely to be a long-term implication of the cost of living crisis, with households managing extremely limited finances or negative incomes, and we know that that will disproportionately affect women and single-parent households. Will the Scottish Government consider stopping the collection of public sector debt for at least six months, to help households to use money on essentials such as food, energy and housing costs?

**Shirley-Anne Somerville:** I thank Maggie Chapman for raising the very important issue of the number of people who are experiencing debt—or even the fear of going into debt. She will be aware that, when we talk about public sector debt, a number of actors are involved—most obviously local government, but not just local government. This is not an issue that the Scottish Government can take on by itself.

A number of local authorities have taken decisions to eradicate some of the debt in some areas. For example, some local authorities have looked at school meal debt. However, that is something for individual local authorities to have a position on.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** What is the cabinet secretary's response to the reports highlighting that more than two thirds of children who are in poverty live in working households?

**Shirley-Anne Somerville:** It is absolutely unacceptable that two thirds of children who live in poverty live in a household where at least one person works. That is deeply concerning. That is why the action that we are taking around the drivers of poverty reduction include significant investment in Scottish Government benefits to assist with that, and employability services. However, I go back to a point that I made before, about the real need across the UK—because that is where the power lies—for a fair work agenda and a real living wage, to ensure that work is genuinely a way out of poverty.

**The Presiding Officer:** That concludes the ministerial statement. There will be a small pause before we move to the next item of business.

## College Regionalisation

**The Deputy Presiding Officer (Annabelle Ewing):** The next item of business is a debate on motion S6M-09414, in the name of Sue Webber, on behalf of the Education, Children and Young People Committee, on college regionalisation. I invite those members who wish to speak in the debate to press their request-to-speak button now.

14:56

**Sue Webber (Lothian) (Con):** I am delighted to open the debate on the committee's inquiry into college regionalisation. I thank all those who shared their knowledge and experience with us, and, of course, my committee colleagues for their due diligence.

During the inquiry, the committee considered how colleges have been impacted by the regionalisation process and consequential mergers, and how they are performing now. The committee was very impressed by the work that has been done in and across our colleges. Those institutions are critical to the economic and social wellbeing of our economy; to the delivery of the Scottish Government's economic strategy; to the development of a skilled workforce that is able to respond to new requirements and new opportunities in industries; to opportunities for people of all abilities to develop skills for life; and to successfully widening access to opportunities, including higher education.

The committee recognises that regionalisation has allowed colleges to have a stronger voice and a seat at the table when it comes to the economic development decisions in their region, and to develop much stronger relationships with schools and universities. It has also led to a more coherent curriculum across the region, which can aid learner pathways from school to higher education; to an increase in the number of students who receive full credit for their higher national certificates and higher national diplomas, should they wish to take a degree; and to the strengthening of student associations and student representation in college decision making.

However, the committee also found that colleges face a very challenging financial situation. On average, 70 per cent of college expenditure goes on staff. Given a restricted ability to generate other funds, colleges have forecast significant staff cuts over the next five years. Indeed, some have forecast cuts of up to 25 per cent. College principals also highlighted that, although the scale has increased, financial challenges are not new, with many describing the sector as being "chronically underfunded".

The committee believes that the full potential of colleges is being curtailed by those significant and on-going financial pressures, as well as by a lack of flexibility to respond to the specific economic and societal requirements of their areas. The committee therefore recommended that the Scottish Government and Scottish Funding Council urgently give colleges as many financial and operational flexibilities as possible to help them deliver on the various strands of their work.

Given the importance of colleges and the depth of the challenges that they face, I have been greatly disappointed at the lateness of the Scottish Government's response to our report. It was provided only yesterday, some three weeks late and leaving the committee only a day to prepare for the debate. In addition to its lateness, the response was light on content and on addressing some of the wide-ranging, cross-cutting recommendations that we presented. I also noted that, when it arrived, it explained that the Scottish Funding Council has given colleges some flexibilities when it comes to credit targets and to addressing some of their semi-fixed costs. I look forward to hearing more about that from the minister.

The committee was concerned to hear that, in 2017, a survey identified that one third of the college estate was neither wind nor watertight. Based on that survey, Audit Scotland found a £321 million shortfall in backlog and life-cycle maintenance across the estate since 2018-19. That amount is just what is required to make the college estate wind and watertight; it does not cover what will be required to ensure that colleges meet their net zero commitment by the 2045 deadline.

Colleges, after all, are almost wholly dependent on the Scottish Government and the Scottish Funding Council for capital investment. Although the committee recognises the financial constraints that the Scottish Government is working within, the Government and the Scottish Funding Council must acknowledge the college sector's significant needs and urgently take action to ensure that more capital investment can be leveraged into it.

Although the cabinet secretary's response said that there would be more flexibility for capital maintenance, the combination of the backlog and life-cycle maintenance means that the allocations are still some way short of what will be required, given the extent of the backlog. I note that the Scottish Government is working with the Scottish Funding Council with the intention of bringing forward the infrastructure investment plan, and I look forward to hearing more about that from the minister.

The committee heard about the strong partnerships that many colleges have with the

businesses in their region, but we also heard that they need more flexibility to respond to the needs of students and businesses locally. The ability to develop their own qualifications, including microcredentials, is one such flexibility that we discussed. The committee asked the Scottish Government to consider what barriers are stopping colleges from developing qualifications, and how they might be removed, and I am looking forward to hearing the minister's thoughts on that during his contribution.

A significant ambition of the college reforms has been the enhancement of the student voice to help make the college sector more learner centred. We were grateful to have student representatives join us in the Parliament to share their views and tell us about the successes and challenges that they face in their roles.

The committee was encouraged to learn that student associations have been strengthened as a result of the reforms, and that student association presidents have been supported to be part of discussions about the strategic direction of the college and the support available for students, and to influence key decisions by the board. However, the strength of that challenge can be tempered by the financing arrangements of student associations, with most dependent on their colleges for funding.

The committee recognises that many college student associations are working well, but we found that others might need strengthening, possibly through more secure financing or more time and training support for student officers. The committee wants college student associations to have real agency in order to offer robust challenge to their college boards and principals, so we have asked the Scottish Government to consider whether minimum standards should be set to ensure that associations have appropriate levels of funding and independence to protect their ability to challenge their boards. Again, I would be interested in hearing the minister's view on that.

Colleges perform so many different functions, and we all need them to do so. In our report, the committee made it clear that, without increased investment or flexibility, the sector needs the Scottish Government and the Scottish Funding Council to be clear about what colleges should be prioritising.

I move,

That the Parliament notes the conclusions and recommendations contained in the Education, Children and Young People Committee's 2nd Report, 2023 (Session 6), College regionalisation inquiry (SP Paper 331).

15:03

**The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey):** I thank the Education, Children and Young People Committee for its work on the report, and I apologise for the lateness of the Scottish Government's response to it. It is a commendable piece of work—and I say that without a hint of bias. [*Laughter.*]

From the evidence amassed by the committee which, as a member of it at the time, I heard at first hand, as well as from the subsequent meetings that I have had across the college landscape as minister, it is clear that college regionalisation has delivered a number of benefits, which we need to capitalise on if we are to have a lifelong education and skills system that is fit for the future.

Our colleges play a unique role in the system. They deliver the broadest range of learning across almost the whole of the SQF framework. They work with our youngest and oldest learners, building confidence and helping people progress. They deliver learning across Scotland and partner with those in their communities, making the best use of their assets to improve outcomes in the areas that they serve. They can also play a central role in our economy by responding to the needs of employers and supporting improvement in earning potential and productivity in their regions, as well as contributing their expertise nationally and internationally. I firmly believe the sector has a bright future.

I say that, while acknowledging entirely the difficult financial climate that we are encountering at present. There are no easy choices or solutions to some of the challenges that the Government faces. Decisions have had to be made that I wish had not had to be made. In spite of those challenges, though, our commitment to colleges remains steadfast.

Despite severe financial pressures, we are, in our 2023-24 budget, continuing to invest in our colleges, which will enable them to continue to deliver high-quality education and training and to support the development of well-educated and highly skilled people who contribute to our economy and society. Later this month, I will be meeting the sector to consider—and, I hope, take forward—approaches that will help it secure sustainability in the face of the current pressures.

**Stephen Kerr (Central Scotland) (Con):** What the minister has said is positive, but will he join me in appealing to the Educational Institute of Scotland not to boycott the marking of students' papers at the end of the academic year, as it would leave so many students high and dry about their futures? Will the minister join me in appealing

to the EIS not to use students as collateral in its industrial dispute with the employers?

**Graeme Dey:** I am not sure how that fits with the points that I have just made. I would, of course, appeal to lecturers not to go down that road, but I also recognise their right to pursue industrial action as they see fit.

The on-going significance of colleges is at the heart of our future post-school learning landscape. The need to get the most out of our investment is an important finding of James Withers's skills delivery review. Its report, which was published last week, sets out a compelling case for significant reform of the public sector landscape and its underpinning processes. Withers notes that his eyes have been opened to the broad and pivotal role of colleges in their regions, and I agree with his analysis. His recommendations call for simplification of funding and decision making to empower regional partners to respond to their diverse local economies. There is no doubt that regionalisation means that colleges are well positioned to take up that challenge.

I have already said that I find the case that James Withers has made for whole-system reform persuasive, but I also want to ensure that we consider the practicalities and consequences of his specific recommendations. Together with sectoral partners, and in the context of wider lifelong education and skills reform, that is what we will be doing. That is why over the summer I will be meeting and listening to key players in all of this, including colleges.

Let me be clear, however: we accept the broad direction set by James Withers. Like the cabinet secretary in her opening remarks in the debate on the national discussion for education, I am keen to engage constructively with the Opposition as we move the education reform agenda forward. That includes listening to ideas and reflections in the chamber and away from it on proposals, particularly those of Withers, to support Scotland's learners today and in the future.

**John Swinney (Perthshire North) (SNP):** I welcome what the minister has put on the record about the Withers review, which provides a very clear route map for the Government to undertake some very difficult, but necessary, work in this sector. I encourage the minister to foster a discussion with the Opposition that recognises some of the financial challenges that the Government faces. Withers offers a number of solutions to those challenges to ensure that provision can be delivered in a focused way that meets the needs of learners instead of meeting the needs of institutions. If that thinking underpins the cross-party discussion in response to Withers, we might be able to address the financial challenges and continue to deliver world-class

skills and learning opportunities for students in Scotland.

**Graeme Dey:** John Swinney sets a challenge for us all: we need to have a mature conversation about all of this. I assure him that I will certainly look to facilitate that.

The most telling indicator of any system is how satisfied its users are with the service that they receive. According to recent Scottish Funding Council statistics, there have been increases on the previous year in enrolments, head count and full-time-equivalent places, as well as increased numbers of those upskilling and reskilling on short courses, and increased opportunities for those who are furthest from the workplace. That shows that colleges are continuing to deliver the most appropriate offer throughout learners' lives and are responding flexibly to the social and economic needs of the regions and communities that they serve.

The 2021-22 student satisfaction and engagement survey statistics showed that nine out of 10 full-time students were satisfied with their college experience, which is an increase on the figures for the previous year and a return to pre-pandemic levels. That speaks to the quality of the support that is being given to students.

**Willie Rennie (North East Fife) (LD):** Will the minister take an intervention?

**Graeme Dey:** Do I have time, Deputy Presiding Officer?

**The Deputy Presiding Officer:** Yes.

**Graeme Dey:** I give way to Willie Rennie.

**Willie Rennie:** Could the minister provide clarity on the position of mental health counsellors? His predecessor talked about bringing clarity through the student mental health action plan, but we have still not seen that. Some 48 mental health counsellors, plus the think positive staff, could be made redundant unless the Government acts. Will he give us some news about that?

**Graeme Dey:** The update is that the position is as it was when I last spoke to Mr Rennie on the subject: it remains a work in progress, and we are trying to resolve the issue. I do recognise the member's points about the importance of such services.

I want to touch on the wider role of colleges. Scotland's colleges not only deliver higher and further education, but play a key role in supporting their local schools. School and college partnerships are a vital component in young people's learner journeys, supporting a wide range of positive educational outcomes that might not be achievable in the school setting alone. They support the school-based offer by providing a

variety of opportunities for learners, including skills development in work-based settings, exposure to a variety of teaching and assessment methods and a wide range of qualifications and awards.

Scotland's senior phase school learners are now undertaking a much wider range of courses than ever before, with more than 27 per cent of school leavers in 2021-22 gaining vocational and technical qualifications at Scottish credit and qualifications framework level 5 or above, compared with just 7.3 per cent in 2013-14. Professor Louise Hayward, who is leading the independent review of qualifications and assessment in Scotland, has noted:

"School and College partnerships have become an increasingly positive feature of the educational landscape."

We want to see such partnerships being strengthened and developed, so that will be a key feature of our programme of reform across the education and skills portfolio.

Another area in which we see examples of good practice is articulation between our colleges and universities. Although I recognise James Withers's comments on the confusing landscape, colleges and universities are in many instances already working in partnership to create clear progression routes to higher levels of study, from traditional articulation models to integrated and partnership degrees. In 2021, 19.1 per cent of Scotland-domiciled degree entrants to university had achieved an HNC or HND in one of the three years prior to their entry. That approach supports our widening access ambitions and demonstrates the benefits of the pathways that are already in place across different parts of the post-school system and how they are delivering for learners.

Of course, more could be done. One thing that we have heard loud and clear is the need to make an individual's learner journey as easy and simple as possible. We have also heard about the importance of good advice and signposting on such journeys. Clear articulation routes play a role in that, providing increased flexibility for learners and a choice of progression routes as they continue their journeys. There is more to be done to improve articulation pathways, but we are building on strong foundations.

Building on the importance of clear pathways and articulation opportunities—and a factor that is recognised in the committee's report—is the need for good careers information, advice and guidance. Given the current labour market shortages, there has never been a more important time for advice and support to be given to all. That is a major theme in the skills delivery review.

Of course, we are not starting from scratch in that respect. Skills Development Scotland has already undertaken reviews of career services for

young people in Scotland, and the careers collaborative that will implement the strategy will also help ensure that tailored support is available to all learners. I am also heartened by the approach that Colleges Scotland has taken to developing approaches that could best support college students. Taken together, the careers collaborative and the focus that Withers places on careers provide an important milestone for embedding careers within the fabric of our learning system. Colleges will continue to play an important role in providing such advice. I am particularly grateful to Grahame Smith for offering to return to the findings of the careers review in light of Withers, in order to consider how they might be aligned.

As James Withers has rightly identified, our colleges play a key role in our economy, working with small and medium-sized enterprise businesses, upskilling and reskilling, and fulfilling their civic roles as local anchor institutions. They have been instrumental in our economic recovery strategy following the pandemic and will be critical to our economic future in working to support delivery of the national strategy for economic transformation as we face the changes ahead.

Scotland's colleges are vital in supporting the future careers and prosperity of our young people and our economy. I look forward to the debate and to working across the chamber, I hope, to support our colleges for learners today and in the future.

I will seek, in my closing speech, to respond to points that members make and update members on some of the specific issues that are noted in the report.

15:15

**Stephen Kerr (Central Scotland) (Con):** I have to say that I was amazed by the intervention from John Swinney. We would hardly imagine that he was in the upper echelons—the most senior positions in the Government—for 16 years. As a back bencher, he has suddenly realised what many of us have said for a very long time about the skills landscape in Scotland. I welcome his conversion.

I have had the privilege of sitting beside the minister when he was a member of the Education, Children and Young People Committee, and I think that he is sincere. I do not disagree with him about many aspects of his speech. I disagree with him on breaking up the United Kingdom, but I think that we have a lot more common ground that we can explore.

To be frank, the minister has a mess to fix. I assure him that, if he does the right things for learners in Scotland, he will have the support of Conservative members. I know that he is

passionate about the sector and its importance. If we want a skills revolution and an economic transformation in our country, the college sector must play a critical strategic role. However, it will be difficult for the minister to defend his Government's record on colleges, because it is a record of neglect and worse. His predecessor was underwhelming. Nothing much happened. I am assured by the fact that he is now the Minister for Independence, because the union should be safe for at least another 300 years.

The college sector is key to the transformation of our economy and the creation of skilled and highly paid jobs.

**Brian Whittle (South Scotland) (Con):** As Stephen Kerr said, colleges need to play a huge part in delivering a net zero economy. However, in a recent construction industry round-table session, it emerged that, to meet the Scottish Government's net zero targets, more than 20,000 new engineers and tradespeople will be needed by 2028. Those people would have to be in colleges now. Is that why it is so important that resources are made available to colleges as quickly as possible?

**Stephen Kerr:** The college sector is critical to the transformation that my friend has pointed out. Working in partnership with employers, the college sector is critical to meeting some of the daunting challenges that we face. There is an ageing and falling population, and there are the national economic issues of a stubborn and persistent productivity gap and low economic growth. There is the challenge of climate change and net zero deadlines, which has just been mentioned. There is the challenge of enabling new generations of Scottish entrepreneurs to create the businesses and jobs of tomorrow. Our duty across the chamber is to oversee the creation of an education and skills landscape that is fit for the present and that will equip our people for the future. However, fine words butter no parsnips. Ministers cannot pretend that they are interested in outcomes when they undercut the delivery of those outcomes. That is what I accuse the Government of doing. Where is the long-overdue statement of purposes and principles?

The college sector is suffering death by a thousand cuts.

**Graeme Dey:** As usual, we have heard much hyperbole from Mr Kerr. If we want to deal in facts, since 2012-13, the college resource budget has increased by £168 million. I fully accept that, with all sorts of pressures, the colleges will argue that they require a lot more, but will Stephen Kerr acknowledge that as a fact?

**Stephen Kerr:** What is the fact? The fact is that, in 2006-07, when the Scottish National Party

Government came to power, 354,000 people were enrolled in our colleges and, as of 2021-22, that number was down to 236,730. The Government has cut the sector by a third. I say to the minister that that is not hyperbole. Those are the facts in an answer that he gave to a parliamentary question.

The paradox is that there is exceptionally strong demand for professional and technical qualifications—the very qualifications that colleges offer. Employers want to invest in their workforces, knowing that that gives them a massive competitive advantage, which is especially important at a time when there are global skills shortages.

**Ross Greer (West Scotland) (Green):** Stephen Kerr mentioned the purpose and principles statement, the draft of which has been out for consultation for some time. In my feedback, I requested a statement on what the university and college sector should look like as a place of work, given that universities and colleges are very large employers in Scotland. Given that Mr Kerr mentioned it, what are his thoughts on the draft statement?

**Stephen Kerr:** My thoughts on the draft statement are these: I appeal to the workforce—the members of the Educational Institute of Scotland Further Education Lecturers Association—not to use students as collateral in the current industrial dispute because, at the end of the day, the learners should be at the centre of the consideration of the system. John Swinney said that and I agreed with him. The focus of our attention should be the learners and the students and not the system or the institutions or anyone who works in the system.

We recognise the work that the college sector does with employers—I would like to see more of it—and we should embrace a whole-system approach, as James Withers says in his important report, but we should not be forcing Scotland's colleges to ration opportunity. Colleges are a catalyst for social mobility, which is particularly important for people from backgrounds that lack the kind of opportunity that we as Scottish Conservatives believe should be available to all. Rationing college places diminishes opportunity.

Beyond cutting courses, colleges are also struggling to maintain their facilities. The backlog of work is into the hundreds of millions of pounds. It is one of the most startling aspects of the SNP Government's neglect of the college sector.

**John Swinney:** Will the member give way?

**Stephen Kerr:** I will not be able to take any more interventions.

**John Swinney:** Oh!

**Stephen Kerr:** I think that I have been rather generous. The member is complaining that I am not giving way but I have already given way loads of times.

Accurate measurement of the success of the college sector is hampered by inadequate data collection and reporting. We have the shocking and inaccurate statistic that 30 per cent of students who begin college courses do not complete them. However, when the committee challenged the minister's predecessor on the need to update how those figures are recorded and reported, we got the complacent response that he would get around to it. I am not accusing the current minister of neglect. I have high expectations for the way in which he interacts with the sector and the way in which he will represent its interests in the wider Government.

The Scottish Conservatives would put the college sector where it belongs, which is at the very heart of our skills agenda. We broadly welcome James Withers's report on the skills landscape, which rightly focuses on disparity of esteem between the different pathways open to school leavers.

Now, we should be united across the chamber in wanting to do something to tackle that deeply ingrained parity of esteem. There is no high road or low road for school leavers; there is only the right road for the individual, based on their interests, aptitudes, capabilities and ambitions. College courses and professional and technical qualifications are no less important than any of the other available routes. However, as long as the college sector is easy pickings when it comes to cuts, there will be on-going disparity.

When there was a minister in Government who did not have the passion to defend and advance the interests of the college sector, there was a consequential sense of fatalism about the college system and its future.

**Graeme Dey:** Will the member give way?

**The Deputy Presiding Officer:** Mr Kerr is bringing his remarks to a close.

**Stephen Kerr:** If we are to tackle the disparity of esteem, funding must be part of the conversation. There is very little evidence that the Government is committed to equality of opportunity for Scotland's young people—*[Interruption.]*

**The Deputy Presiding Officer:** Mr Kerr is bringing his remarks to a close.

**Stephen Kerr:** The Scottish Conservatives will put equality of opportunity at the heart of our programme for government.

**John Swinney:** Will the member give way?

**Stephen Kerr:** There are no cheap options in education. You either believe in supporting the talents of our people or you do not believe in it. You either believe in investing in human capital or you do not believe in it. We believe.

**The Deputy Presiding Officer:** Mr Kerr, are you bringing your remarks to a close?

**John Swinney:** Presiding Officer, we are all trying to intervene—*[Interruption.]*

**The Deputy Presiding Officer:** Mr Swinney, as you well know, it is up to individual members whether they accept an intervention; it is not a matter for the Presiding Officer.

Mr Kerr, I have been generous with you in order to reflect the generosity that I applied to the minister. However, you need to bring your remarks to a close very soon.

**Stephen Kerr:** I will very soon, Presiding Officer. *[Interruption.]*

I have spoken before about how politicians are addicted to discussing symptoms rather than the more difficult work of tackling root causes. There are problems in our society with deep-seated poverty. In parts of our country—

**The Deputy Presiding Officer:** Mr Kerr, you will need to conclude. I have been generous. Please conclude now. Thank you.

**Stephen Kerr:** Right. Okay. I thought that I had eight minutes and I took quite a few interventions.

**The Deputy Presiding Officer:** You have now had nearly 10 minutes. Please conclude, Mr Kerr.

**Stephen Kerr:** I will simply close by saying that we on this side will tirelessly work—

**The Deputy Presiding Officer:** Thank you, Mr Kerr. I need to move on to the next speaker, to protect the speaking time of other members, as I am sure that the member will understand.

I call Pam Duncan-Glancy. You have around seven minutes, please.

15:25

**Pam Duncan-Glancy (Glasgow) (Lab):** I welcome the opportunity to speak on behalf of Scottish Labour today. Colleagues will know that the inquiry that we are discussing this afternoon predates my membership of the Education, Children and Young People Committee, so I wish to thank everyone who took part by providing written and in-person evidence, and the committee for its work.

Post-legislative scrutiny is crucial, as is the report, particularly as regionalisation has created significant and cultural reforms. Those who have read the report will note that the committee heard

about far more than just regionalisation, and those who have listened to staff and students across the sector recently will be unsurprised by that, given the challenges that it now faces.

When evaluating the impacts of regionalisation, we must first recognise the wider context. Regionalisation happened at a time of huge reform in post-16 education, including the harmonisation of pay and conditions, the introduction of national collective bargaining and the reclassification of colleges as public bodies.

We must also recognise that all that happened against the backdrop of an increasingly difficult financial situation, with real-terms cuts from Government, and external pressures on budgets such as the cost of living crisis and the costs that are associated with the reforms. That makes it difficult to separate the direct impacts that each of the changes, including regionalisation, has had, particularly because the benefits of one aspect of reform could be masked by the pitfalls of another—or, as the Royal Society of Edinburgh put it:

“the policy and funding context in which regionalisation was implemented had significant implications and curtailed the potential for wider success and impact.”

One example of that missed opportunity is from an Audit Scotland report in 2018. It projected a potential saving of £50 million a year from 2015-16 as a result of regionalisation, which could have delivered one of its initial aims to improve financial efficiency. The sector was and is facing an increasing deficit, and a saving of that amount could have begun to plug the gap; instead it has been mitigated by another of the reform policies. Harmonisation costs became the responsibility of colleges in 2018-2019, after the Government stopped the initial funding. The £50 million cost of that absorbed savings from regionalisation.

Reform also restricted the flexibility that colleges have to make and spend money through their reclassification as public bodies with central Government funding. The reclassification has, as the report says, led to a tighter financial operating environment and limited what colleges can do with their money, and, as we see with the redundancies that those in the sector face, it has not really brought the benefit of protections of such classification to pay and conditions.

Workforce costs and colleges account for 70 to 80 per cent of spending. As their largest expenditure, in the perilous financial state that colleges find themselves, they have looked to reduce staff numbers. Some have modelled a staff reduction of more than 25 per cent by 2026-27. That could have disastrous effects on students and colleges across the country.

The Government must address the inflexibility of funding as a priority. I welcome its movement on that but urge it to consider not only whether it can do more for the sake of jobs and courses but whether it can support colleges to realise the flexibility and innovation that regionalisation could have brought and that they are good at.

**Graeme Dey:** I assure the member that the process that is being undertaken to identify possible flexibilities is with the colleges. The scale and nature of those will in part be shaped by what they bring forward for our consideration. I give the assurance that we will approach that process with a positive outlook.

**Pam Duncan-Glancy:** I appreciate the minister's intervention and I welcome that he will look at that with a positive outlook, as that is crucial to addressing some of the financial problems that the sector faces.

All that, coupled with a lack of Government direction over what they should be prioritising and delivering, has made an impact on the funding choices that colleges can make.

The delay in publishing the strategic vision for further and higher education has created uncertainty and made it difficult for institutions to do any long-term financial and strategic planning, leading Audit Scotland to raise concerns over the long-term financial sustainability and to forecast further deterioration in the future. That has also left staff and students living with unsettling consequences of uncertainty.

Without sufficient resources and direction, the potential of regionalisation risks being lost. We cannot afford for that to happen because, as the committee heard and as has been outlined, the benefits can be huge. In Edinburgh, the data is compelling. Regionalisation has resulted in better collaboration with universities, which has led to smoother articulation pathways and a 22 per cent increase in the number of students with advanced standing. Regionalisation has also strengthened relationships with schools and businesses, leading to more than 2,000 local and regional business partnerships and a 300 per cent increase in school-college activity.

In Glasgow, too, the increased credibility from working as one has allowed for stronger relationships with employers, creating a new landscape that opens communications about skills. That allows colleges to know what gaps there are and might be in the future and how best to address them.

Regionalisation has also allowed for clearer calibration of the curriculum—one that reflects the regional labour market. The partnership between Glasgow's three colleges has done that by working together to develop one streamlined

curriculum in order to best incorporate the skills that employers need, broaden provision and remove duplication. The colleges have done that by using existing, established high-level operational structures. Therefore, in the spirit of reducing duplication and providing certainty to colleges, I ask the Government to respond swiftly to questions about the need for the regional board, including whether the board's functions are already carried out in-house or by other public bodies and whether removing those functions would reduce unnecessary duplication and lead to further savings.

Allowing colleges to have a direct relationship with the Scottish Funding Council could also remove some of the clutter from the already restrictive landscape and give them back a sense of autonomy. Ensuring strong governance is, of course, key in that regard, so I ask the minister to publish the Government's good governance guidance so that colleges, staff and students can benefit from reduced duplication and effective scrutiny.

Regionalisation has so much potential but, against that backdrop, it feels as though any success has been in spite of the many challenges. A clutter of structural and process reforms, which were all introduced against severe financial decline, have left colleges in a perilous position. The ambition of regionalisation had huge potential, but it has not been met with the leadership, engagement or support from the Government that is needed to ensure its success. I hope that there will be a change of direction from the new minister, and at pace, so that we can empower colleges across the country to live up to their full potential.

**The Deputy Presiding Officer:** I remind all members who wish to speak in the debate to check that they have, in fact, pressed their request-to-speak button.

15:32

**Willie Rennie (North East Fife) (LD):** I was a bit puzzled by the minister's response to my question about mental health, because he knows that I have raised the issue consistently with him and his predecessors. It seems to be taking an awful long time to get clarity. The think positive programme, which is run by the National Union of Students Scotland, is relatively inexpensive. Forty-eight mental health counsellors are providing an excellent service for students, some of whom are struggling to a great degree after having gone through the pandemic over the past few years. I am not sure why it is taking so long to get clarity on funding so that the service can continue. People's jobs and livelihoods are at stake. If we take too much longer to get the matter resolved, some of those people might go, which would

undermine the service, so I hope that the minister will move much more speedily.

**Martin Whitfield (South Scotland) (Lab):** I want to emphasise Willie Rennie's final point. If the group disbands, getting those people back together to serve will be a much harder, much more expensive and much more time-consuming process.

**Willie Rennie:** Martin Whitfield is absolutely right. I know that the minister is a reasonable person, so I am sure that he will look at the matter and ensure that we get a resolution sooner rather than later.

I thank the committee clerks and the witnesses who gave us invaluable evidence. We also had some quite entertaining sessions.

The Royal Society of Edinburgh summed it up quite well by highlighting that it is quite difficult to disentangle the benefits of regionalisation from what might have happened anyway. There is no doubt that the broader geography that is provided through some regionalisation allows for greater interaction with some higher education institutions and universities, as well as with the sector and employers. However, the removal of duplication, as it is called, means that some localities do not have certain courses. As we know, students in further education are less likely to travel to premises that are further away. The likelihood is that some young people have been deprived of the opportunity of being trained within their community, so there are pros and cons.

**John Swinney:** Does Mr Rennie believe that the experience of the pandemic, when people became more accustomed to using digital learning and the sector became much more adept at delivering that, perhaps provides some space for innovation in the provision of education to address exactly the problem that he fairly raises? Courses might not be available in an individual locality, but they might be available digitally.

**Willie Rennie:** That is true, but we need to be careful not to overstate the benefits of or overrely on the new technologies. I have to say that there is nothing like meeting face to face and being able to have personal interaction, discussions on the side and opportunities to ask the lecturer or member of staff a question that someone might not want to ask in front of everybody else. We should not overstate the benefits of remote learning, although of course there will be opportunities.

There is an opportunity for the new minister. It is fair to say that there was quite a lack of direction and quite a high degree of drift under the previous ministerial team. I am hopeful that the minister will be able to provide that emphasis and get a bit of zip into the direction of further education and the

college sector. We have had a fairly radical proposal from the Withers review, and the Hayward report should be coming out soon. We also have the reorganisation of the national bodies. A variety of consultations and working groups are coming to a conclusion, and I know that the minister will want to pull all those together, but we need to do that with a degree of speed, because colleges are already making decisions now about their future and what courses they will provide. If we do not provide them with direction, they will make those decisions by themselves.

**Graeme Dey:** I do not disagree with Willie Rennie, but does he recognise that, with a set of proposals as radical as those in the Withers review, although we need to strike a balance, it is appropriate to take a bit of time to consult all those involved, not least the trade unions as well as many others, to get it right and ensure that there are no unintended consequences in what is proposed before we get to the final decision about what we take forward?

**Willie Rennie:** This is not the minister's fault, but the predicament that we are in is that, because of the lack of direction and the drift that has been happening for the past few years, colleges are making decisions right now about their future and the courses that they are providing, but the Government is not in a position—no unreasonably, for the minister—to provide them with direction on that.

That leads me on to some really odd decisions that are being made. I thought that the Government's policy for the public sector was that there should be no compulsory redundancies, but one college in Glasgow is proposing compulsory redundancies. I therefore do not quite understand what Government policy is now. Are we for or against compulsory redundancies? Following the Office for National Statistics reclassification, there is no doubt that colleges are part of the public sector—they are part of the mainstream offer from Government—but the minister seems relaxed about allowing compulsory redundancies to take place at one of the biggest college institutions in the country. I would like clarity on that from the minister in his conclusion.

On pay, the ministerial team was content to intervene in the teachers pay dispute but is refusing to intervene in the college pay dispute, which is therefore lasting quite a bit longer. The lecturers—the staff—are being told that a pay increase will result in job losses, because no other money is available. On top of that, the Government has cut £26 million from the funding. I know that some of the decisions that have been made recently are not directly connected to the £26 million cut, but it has not helped.

There is real confusion about Government policy. Is it for intervention to resolve pay disputes? It is in some areas, but not in others. The Government is pitting one lot of staff in the public sector against another by saying that it is taking money from the college sector to pay for pay rises for teachers. We are told that there is no more money for colleges and, all of a sudden, the no compulsory redundancies policy seems to be right out the window. We want clarity from the Government as to whether that is the case.

There were indications from the minister in his letter to the committee yesterday about looking at some of the flexibilities that exist in England. I look forward to discussion on flexibilities for colleges to allow them to be more innovative.

Also, we just need to get rid of the Glasgow Colleges Regional Board. I do not know why it exists. The committee took a more balanced approach to that issue, but I am not taking a balanced approach; I think that the board needs to go. It is duplication, it costs a lot of money and we should get rid of it.

**The Deputy Presiding Officer:** Mr Rennie, could you bring your remarks to a close, please?

**Willie Rennie:** I hope that the minister will address those serious points. The debate has been good so far, and I hope that the minister can answer the questions that I have posed.

**The Deputy Presiding Officer:** We move to the open debate with speeches of six minutes.

15:40

**Ruth Maguire (Cunninghame South) (SNP):** Ten years on from the college regionalisation, the Education, Children and Young People Committee was keen to undertake an inquiry to examine how the structural changes were working in practice and explore to what extent the aims of regionalisation had been achieved. Those aims included: having an ambition for all young people over the age of 16 to stay in learning and achieve qualifications, improving their job prospects and earnings in the long term; removing course duplication and unnecessary competition for students between colleges and universities; having greater efficiency, while still supporting local delivery; and ensuring that the college landscape could meet current education, employment and skills challenges and respond rapidly to emerging scenarios.

We wanted to look at how well equipped colleges were to deliver what is required of them and to consider any further changes that might be of benefit to the college sector, learners and the communities that the sector serves. I am very grateful to the variety of organisations and

individuals who provided written and oral evidence, sharing their experience and their insight into what was working well and where challenges and opportunities for improvement existed.

Colleges are institutions delivering on multiple critical fronts. They provide opportunities that allow people to develop skills to live more independently and that allow others to take their first steps back into formal education, helping some of those furthest away from the job market.

I have mentioned before the excellent work that Ayrshire College does in that regard. It has a very successful programme called project search, which runs in collaboration with partners at University hospital Crosshouse and the National Trust for Scotland at Culzean castle. It provides supported learning students with 800 hours of immersion in the facilities of each host business, preparing them to be work ready. The college has told me previously that many students have progressed from the intensive work focus of project search to achieve paid employment.

Colleges provide tangible opportunities for widening access and social mobility. Indeed, in his evidence to the committee, Stuart Brown of the EIS Further Education Lecturers Association highlighted that it is a specific mission of colleges to deliver education to people in their communities who have perhaps been left behind by other parts of the education system.

Colleges are places of lifelong learning and development, providing a platform where people can improve their skills or develop new interests at any point in their life. In delivering high-quality, highly respected advanced vocational qualifications and professional training, colleges, with their strong links to industry, play a pivotal role in upskilling the workforce in new technologies for new industries, making them absolutely critical to the realisation of the Scottish Government's national strategy for economic transformation and its goal of a wellbeing economy.

The committee report says that it is clear from the evidence that there have been positive changes from regionalisation, alongside the broader policy changes taking place over the past 10 years, including the creation of colleges of scale, providing a stronger and more credible platform to engage with education and economic partners. That is something that I saw at first hand with Ayrshire College and the involvement of its principal in various economic forums.

The committee concluded that the coherence of the curriculum across the region that the college serves has aided learner pathways from school to higher education. Also of note are increases in articulation, widening access to higher education.

In his evidence to the committee, Sir Peter Scott, the then commissioner for fair access, highlighted that colleges were absolutely crucial to the aim of fair access. He stated that colleges were a key path into degree courses, noting that, of the entrants to degree courses in higher education who had come from a more deprived background, 40 per cent went through a college route. I agree with his conclusion that Scotland's record on fair access would be much diminished if it were not for colleges.

Enhancement of the student voice through the strengthening of student associations and student representation in college decision making is another area recognised as a success. However, along with the clear successes, there are frustrations and challenges that need to be addressed.

It is beyond doubt that the Scottish Government currently faces the most difficult public spending environment since devolution. There are pressures throughout our public sector and I understand and accept that really difficult decisions have been, and will continue to need to be, taken by Scottish Government ministers. In that context, maintaining the college resource budget at last year's level is not unwelcome. However, I also accept and understand that colleges, like all public bodies, face increased costs and pressures.

I recognise the flexibilities that the Scottish Government has introduced for colleges, as outlined in the letter that the cabinet secretary sent to the committee. However, notwithstanding what Mr Dey said in his intervention on Pam Duncan-Glancy, I press the minister in that regard. I know that he is interested in the matter and was during his time on the committee. His predecessor agreed with the principle of being as flexible as possible and providing as many fiscal and operational tools as we could to the college sector. Therefore, I would welcome it if, in his closing speech, the minister could outline what more the Scottish Government can do to support colleges to continue to deliver within the existing financial envelope and when it can do that.

The committee produced a balanced report that acknowledges success and highlights challenges and opportunities. I commend it to the chamber and thank everyone who contributed to it.

**The Deputy Presiding Officer (Liam McArthur):** I advise members that we are tight for time, so I would be obliged if colleagues could stick to their speaking allocations.

15:46

**Meghan Gallacher (Central Scotland) (Con):** More than a decade ago, the Scottish Government

embarked on its college rationalisation strategy, which resulted in a reduction in the number of colleges from 41 to 26 and the creation of 13 regions. We know from the committee's report that its members concluded that regionalisation has led to a

"more credible platform to engage with educational and economic partners"

and a better constructed pathway for young people to access colleges, as well as enhancing the voices of students and their student bodies. That is progress that all MSPs can welcome.

However, although progress has been made in the area, it does not excuse the SNP's mismanagement of higher and further education. Our learning institutions are suffering, as are our students. The SNP's decisions to cut funding, reduce services and ignore the concerns of trade unions and academics mean that colleges have been left to pick up the mess.

One recent example is New College Lanarkshire in my region. Many talented students, including the likes of Lewis Capaldi, have attended that college, and I am proud that students have chosen Lanarkshire for learning. However, students have been told that they will need to find somewhere else to live, as the Motherwell campus has closed its halls of residence, citing Government cuts. Staff who are impacted by that decision have been offered voluntary redundancy or redeployment, all because the establishment is facing a real-terms cut of £4.3 million.

That impacts not only students who live in the Central Scotland region but young people who live in rural areas. I have had several people contact me since the news broke. One email that I received was from a grandmother who lives in Argyll. She told me that her grandchild, who lives on the same island as her, will not be able to accept their place at Motherwell campus because of the accommodation closure.

I ask members to imagine being a young person in that position: working hard to obtain the grades needed to be accepted for New College Lanarkshire, being told that the halls of residence were there to provide them with safe and secure accommodation and receiving their acceptance letter only to find out that they can no longer go because of Scottish Government cuts. What message does that send to our rural young people who choose to study in urban areas? Is the minister aware of the real-life consequences that cuts to colleges cause for our students?

**Graeme Dey:** I hear repeatedly from Meghan Gallacher, perhaps more than other Conservatives, about that issue. There is much wailing and gnashing of teeth. Will she acknowledge the impact that the fiscal

incompetence of some of her colleagues who were in charge at Westminster over a damaging brief period has had on the Scottish Government's budget and all that that means?

**Meghan Gallacher:** That is a bold claim from a minister of the Scottish Government, I have to say.

To add to the woes that the education sector across Lanarkshire faces, it was announced that nurseries at the Coatbridge and Cumbernauld campuses of New College Lanarkshire were also to close. Thirty members of childcare staff were impacted, mostly women, and I was gobsmacked. We face a childcare crisis in Scotland and nearly 30 early years practitioners were told that their place of work was shutting its doors.

**Stephen Kerr:** Does the member think that it is appropriate for the minister to sum up the genuine concerns that she is representing in the chamber as weeping and wailing and "gnashing of teeth"? Is that not, ultimately, disrespectful of the concerns of these young people and their ambitions?

**Meghan Gallacher:** I completely agree, but then again, as I said, it was bold of the minister to talk to the Conservatives about financial mismanagement. *[Interruption.]* SNP members need only look at their own Government.

I turn back to the real concerns. The minister laughing about the serious issues that I am trying to raise is completely disrespectful to the people they are affecting. Staff are devastated by the announcement of the closure of the nurseries, not just because they are going to lose their jobs, but also for the children and their parents who might not be able to continue with their college courses. Those are the real impacts that cuts have on our college estates.

Regretfully, those are not the only local challenges that I will share today. Back in April, it was announced that New College Lanarkshire will leave the Hamilton campus when the lease expires in July. That will be another blow to Hamilton town centre, following the closure of the University of the West of Scotland on Almada Street some years earlier. All the recent discussions at New College Lanarkshire resulted in a reduction in staff. Unison has launched an online petition calling on the education secretary to intervene in the crisis that is engulfing the further education sector in Scotland.

There is a crisis in our nurseries, a crisis in our schools and a crisis in our universities and colleges. The SNP will try to give itself a pat on the back today because of the positive messaging in the committee report, but the state of Scottish education in general is bleak. That is a symptom, as Stephen Kerr rightly pointed out, but there is a cure. The cure has to be worked on together through cross-party policy working. If Stephen Kerr

had had the time today, I am sure that he would have been able to share some of the policies that we propose.

I will close with a plea to the Scottish Government and the minister. Stop squandering money by making bad choices in voting through bad law. Make good choices by investing in our higher and further education, so that young people, such as the young person from a rural community whom I mentioned, can go to a college of their choice to study a course that will give them the foundations to succeed.

15:52

**Bill Kidd (Glasgow Anniesland) (SNP):** As we know, in 2012 the Scottish Government took the decision to introduce structural changes to the college sector as part of its wider reforms to post-16 education. Those changes were designed to make course choice more effective and college operations more efficient. They resulted in colleges being organised into regions, which meant having larger colleges that were fewer in number.

Ten years after those changes, the Education, Children and Young People Committee has produced a report that looks at how regionalisation has worked in practice and what further changes the sector could benefit from in the future. Although I only recently joined the committee, I thank all the members, clerks and the variety of organisations and individuals who took part in helping to shape and produce what is a comprehensive, well-thought-through and insightful report.

The 2012 changes had a number of aims, including to provide the opportunity for all young people over the age of 16 to stay in learning, to remove course duplication and to reform the college landscape to ensure that it could meet current education, employment and skills challenges and respond rapidly to emerging scenarios. Another aim was that of merging some colleges to create colleges of scale.

The 2012 consultation also sought to increase the voice of students in decision making. There was already some representation, but the changes aimed to strengthen those arrangements, including through proposals to strengthen the profile of student unions, make student representation more effective and, in turn, help to ensure that institutions met the needs of their learners.

Overall, the response from those who gave evidence to the committee identified a number of positive outcomes from regionalisation. They agreed that the changes have increased the voice of students by helping to grow college student

associations and giving students more say. Colleges of scale have created larger institutions with more standing in the regions and more ability to respond to local economic needs. There has been less duplication in the courses that are offered across each region.

With regard to providing the opportunity for young people to stay in learning, I am afraid that Ruth Maguire stole my line, as usual. The commissioner for fair access, Sir Peter Scott, noted that the social base of college students is much wider than that of students at higher education institutions—in 2020-21, people from the 20 per cent most deprived communities in Scotland made up 25.3 per cent of college entrants, compared with only 16.7 per cent of entrants to full-time first degree courses at university.

Colleges are key providers of training and development and places where people can work towards professional and vocational qualifications. They are key drivers of social mobility. They give people who face the greatest barriers to learning the opportunity to fulfil their potential. In 2020-21, more than a fifth—22.6 per cent—of learning hours were delivered to students with a declared disability.

Colleges are at the centre of delivering the Scottish Government's national strategy for economic transformation and supporting the creation of entrepreneurial people and culture, new market opportunities, productive businesses and regions, a skilled workforce and a fairer and more equal society.

Karen Watt, the chief executive of the Scottish Funding Council, highlighted the success that many colleges have in engaging with local employers and small and medium-sized businesses through funds such as the flexible workforce development fund and the work that they do to develop entrepreneurial people and new market opportunities.

The Royal Society of Edinburgh echoed those successes, saying:

"Colleges will have a pivotal role to play in reskilling workers in support of a just transition ... While this is often viewed through the context of workers exiting the oil and gas industry and to the need for higher level skills, it applies to any worker needing to upgrade and adapt their skills ... The work of colleges in supporting reskilling of the more traditional trades associated with the built environment will be essential."

Therefore, it is important to note that, despite difficult economic times, the Scottish Government's 2023-24 budget allocated nearly £2 billion to Scotland's universities and colleges, maintaining college and university resource budgets at last year's levels, and that, since 2012-13, the college sector resource budget has

increased by more than £168 million in cash terms.

The committee identified a number of areas in which challenges remain, including the fact that being defined by geographical boundaries can be limiting, particularly when working to respond to a large sectoral demand for skills. In its recommendations, the committee recognised the challenge of responding to sector demands for skills and the burden that that might place on SMEs.

The committee agreed with Audit Scotland that, to improve the current situation in relation to workforce skills planning, strong leadership from the Scottish Government is required, as is more effective joint working between Skills Development Scotland and the Scottish Funding Council.

The committee identified the fact that colleges are facing a difficult financial situation and recommended that, in the current financial climate, it is essential that the Scottish Government provides clarity to colleges regarding what they should be prioritising. The committee agreed that, in response to the current financial situation, the Scottish Government should explore ways of providing more flexibility for colleges in terms of finance and delivery. I believe that the Scottish Government is looking at that, and I urge it to update the committee on that important point at the earliest possible opportunity.

The latest student satisfaction statistics published by the SFC show that nine out of 10—90.2 per cent—full-time students were satisfied with their college experience in 2021-22. That shows that we are doing a number of things right and that, overall, the changes that have been made to the sector have been a success.

However, it is also clear that the report identifies a number of ways in which we can build on that success, and I urge the Government to give all the committee's recommendations due consideration to ensure that our colleges continue to flourish.

15:58

**Carol Mochan (South Scotland) (Lab):** I thank the committee for its work on the report and for the opportunity to scrutinise it. I am sure that we all agree that Scotland needs a financially sustainable further education sector that delivers for those who need it, and that is what I will focus on in my speech.

From reading the report and the submissions that have been received by the committee, it appears to me that staff, trade unions and students alike are reporting that the experience of regionalisation has been overwhelmingly negative. I accept that it has been a complex time of

change, but we have heard that potential opportunities were just not grabbed.

Although many of the problems that we see in our colleges existed prior to regionalisation, users feel that it is apparent that the process has, in many cases, only made things worse. Jobs have already been lost, more redundancies are on the cards and the pay settlement has not been helped by the Government, as Willie Rennie outlined well. Another point that has been raised is that the necessary repairs and additions to college estates are simply not happening, although they are essential for the sector.

It is the views of those who are on the educational front line that should be paramount in this debate, not those of lobbyists or of politicians—and I include myself in that. I encourage people to read the accounts that were given to the committee by those working in the sector and to listen to some of the evidence sessions. They all seem to be telling the committee that the centralisation of courses has meant that local provision of a breadth of education has been undermined, and that that has further disadvantaged those who live in more remote areas, such as mine, making it increasingly difficult to limit the financial costs of travel and study. There has been a big change in costs for those students and we have heard other members say that that may mean that people will not be attracted to study those courses. They are also saying that further education is still treated as the unloved sibling of higher education. We have heard that tale for many years and it is important that that was brought to the committee.

Unison's submission made it clear that surveys of its members showed a serious increase in the levels of stress being experienced, leading to more absence. The majority of staff felt that their workloads were extremely high, which is not a sustainable situation for colleges.

Colleges are being asked to make cuts and efficiencies, but the Government has not been clear about exactly what should be prioritised. I heard that first hand during a recent visit to the Newtown St Boswells campus of Borders College, in my region. Staff and students are not being unreasonable. They want to have some guidance from the Government about those issues.

**Graeme Dey:** I, too, have visited Borders College and was very impressed. I think that the criticism of Government direction is a fair one, but I offer an assurance that the statement of purpose and principles will be published shortly and it will offer the guidance that colleges have been looking for.

**Carol Mochan:** That was going to be my next point. I was going to ask for that to be made clear, so I welcome the minister's contribution.

Like many things in the public sector, regionalisation was driven more by the need to save money than by a desire to deliver better education. It has simply not delivered meaningful, positive transformation and it is part of the wider lack of attention given to further education over a long period of time. The committee's report reflects that and shows that there has been a long-term lack of attention to that sector.

That is abundantly clear when we consider student poverty. It is still not clear when the special support payment will be delivered, who will be eligible for that or how it will interact with other Scottish benefits. It also remains unclear how and when the Government will increase student support in line with the living wage by 2024-25. Those important points must be addressed.

The committee is rightly concerned that standards could be adversely affected in an effort to make savings. There is no way to make yet more savings without that happening. We must have a clearer and more stable financial settlement.

Regionalisation has happened against a backdrop of serious funding cuts for universities and colleges across Scotland. That is a common occurrence within the public sector and one that is often treated as being inevitable when it is anything but. We cannot still believe that it is possible to keep doing more with less after the years of austerity that this country has suffered. It simply does not work. We must value our colleges properly and understand that they are the foothold that many people need to move on in their lives and careers. That cannot be treated as a secondary consideration.

16:04

**Stephanie Callaghan (Uddingston and Bellshill) (SNP):** I am pleased to speak in this debate as a member of the Education, Children and Young People Committee. I add my thanks to all those who gave evidence to the committee, to the clerks and to my colleagues for their hard work.

The regionalisation of colleges has helped to ensure the delivery of attractive, high-quality educational opportunities and has provided Scotland's students with choices by creating colleges at scale. Duplication in the provision of courses has reduced, and stronger school-college and other local partnerships have been fostered as a result.

To me, the inquiry has also highlighted how college regionalisation lies at the heart of Scotland's just transition. The climate emergency is undoubtedly one of the biggest challenges that we face as a world. The Scottish Funding Council's 2021 report "Coherence and Sustainability: A Review of Tertiary Education and Research" emphasised the significant role that colleges must play in the drive for a green recovery by equipping our citizens with the education, skills and training that are needed for new and emerging jobs. Locally, New College Lanarkshire has integrated sustainable policies as part of the strategy and it plans to be carbon neutral by 2042.

Colleges are anchor institutions in our communities, and regionalisation has strengthened their ties to universities, schools, local authorities and local businesses. New College Lanarkshire has developed diverse partnerships that have led to wide-ranging developments. The smart hub that has been developed in Lanarkshire in partnership with North Lanarkshire Council and the University of Strathclyde has been funded by the Scottish Government's advancing manufacturing challenge fund. It has opened up manufacturing innovation and robotics to educators and businesses alike. The college has also worked with ACS Clothing to create a spectacular ozone chamber mural.

Those are very different examples, but they both demonstrate the remarkable innovation and creativity that lie at the core of our college sector.

**Meghan Gallacher:** Is the member as concerned as I am about the closure of the halls of residence at New College Lanarkshire, given the impact that it could have on students who are trying to access the college?

**Stephanie Callaghan:** I am aware of the challenges in that area. Hopefully that is something that we can pick up on.

Colleges are rightly recognised for their critical role in fostering social mobility, and regionalisation has helped to pave the way to educational opportunities for those who have been furthest away from the education system and the labour market. Everyone deserves an opportunity to access higher education, irrespective of their socioeconomic background. Over the past decade, school-college relationships have become stronger and they have played a vital role in lifting young people's aspirations to stay in education. Those partnerships mean that pupils have had greater exposure to potential pathways that they find attractive.

Colleges provide alternative environments to schools and universities. Sir Peter Scott said:

“The college route is absolutely crucial, because colleges clearly reach people that universities, in their own right, find it much more difficult to reach, even with their best efforts.”—[*Official Report, Education, Children and Young People Committee*, 1 June 2022; c 20.]

Enhancing student voices is pivotal to creating a college sector that is diverse and truly learner centred. During our inquiry, it was understood that, although regionalisation has enhanced the student voice, particularly in students’ involvement in discussions at board level, student associations need to feel able to challenge boards properly. Sue Webber has already highlighted the committee’s call for the Scottish Government to consider how funding might impact on the independence of student voices.

Regionalisation has brought a wide range of benefits to our communities, including the capability of colleges to be agile and responsive to our society’s ever-changing needs. However, current policies and funding landscapes can hinder that ability to respond to those local needs. In response, our committee urgently recommends that colleges be given as many financial and operational flexibilities as possible to help them deliver on the various strands of their work, including flexibility for the year end, flexibility on SFC outcomes and flexibility in terms of access to additional funds.

I appreciate what the minister said on the subject. The flexibilities that have been delivered this year have been helpful, with the changes to guidance to optimise the balance of full-time and part-time provision; credit target reduction and the retention of a share of funding where credit targets are underdelivered; and the rolling back of backlog and life-cycle maintenance into one funding allocation.

However, I echo Ruth Maguire’s call for prompt action to deliver further flexibilities. I ask the minister to reaffirm his commitment to continue working jointly with colleges, to agree additional flexibilities and to assist colleges in their day-to-day operations.

Colleges often find themselves taking multiple directions. As a consequence, without a clear definition of their role and purpose, the intended goals of regionalisation can go unmet. I know that the minister is aware of the importance and urgency of a final purpose and principles statement. I appreciate that the college sector is highly complex and that it needs to be decluttered. However, delivery of that statement is vital to ensure that colleges can continue to positively contribute to our society, economy and just transition. It really cannot come soon enough.

It is positive to hear how our colleges and communities have reaped the benefits of regionalisation. However, challenges remain and

there is no room for complacency when it comes to the delivery of education. Although I believe that the minister is right to take time to engage and collaborate directly with college leaders, listen to them and work with them, we must make the quickest progress possible. There must be a continued focus on developing Scotland’s world-class educational system into one that places learners at its heart, grows diverse partnership working and encourages people from all walks of life in Scotland to grow and thrive.

16:10

**Liz Smith (Mid Scotland and Fife) (Con):** Exactly 10 years ago—in fact, almost to the day—the Post-16 Education (Scotland) Act 2013 was passed by the Parliament, by 65 Government votes to 51 Opposition votes. It was a very lengthy process, and not without considerable controversy. That was partly because it was a hybrid bill—just like the Children and Young People (Scotland) Act 2014—and, with hindsight, I think we all agree it was a bit too big and unwieldy. There were some very good intentions, such as improving governance of further and higher education institutions, but many of those intentions became submerged in complexity.

The college regionalisation programme was part of that, and it fell into a little difficulty because the main driver was too often seen to be administrative, with the accompanying financial saving, rather than educational improvement. Undoubtedly, there is a balance to be sought between accountability and autonomy, which is never an easy one. However, on college regionalisation, that balance proved to be quite difficult, because although several college principals and boards at the time were very supportive of the Scottish Government’s plans because they liked the idea of co-ordinated regional curricula—as Pam Duncan-Glancy mentioned—others wanted more autonomy. Of course, we then had more issues in Glasgow, in Lanarkshire and at the University of the Highlands and Islands.

Mike Russell’s speeches at the time focused on the financial economies of scale and the reduction of duplication that he believed would be delivered. Unfortunately, because of that, less attention was paid to educational outcomes, and that was true for higher education as well. It was certainly one of the reasons why the Scottish Conservatives—and, I suspect, Labour and the Liberal Democrats—opposed the bill.

I felt that, although supersized colleges would undoubtedly make financial savings, they would lose a bit of the flexibility in delivering courses to local economies, which was the advantage of the previous college system; I note that that issue is at

the forefront of what the education committee states in paragraph 95. I vividly remember that, when I first came into the Parliament, I visited what was the Adam Smith College and Rosyth dockyard and was told how successful the college's local-economy approach had been, and I worried that supersized colleges were going to take away a little bit of that. Up to a point, that has been true.

I mention all of that not only to provide some context, but also in the light of the recent report from James Withers. I applaud that report, because he reflected quite a number of the concerns that date from the 2013 act. He picked up on the concerns that have been referenced in many Colleges Scotland papers over the years, and in those produced about the sector by Audit Scotland. In particular, Withers examined the lack of coherency in post-16 education and qualifications, the lack of parity of esteem between colleges, universities and apprenticeship routes, and issues that have consistently been raised, for many years, by those in the further education sector.

As the minister hinted, the Withers report provides an excellent opportunity to address many of those issues, and specifically to provide a clarity of vision. Notwithstanding what the SFC and the Cumberland-Little report said about reforming the whole structure, I think that the most important recommendation in the Withers report is about the need for the public and business to trust in a new structure of post-16 education that is both clearly understood and appropriate to the diverse needs of the modern workforce, because we should not ignore the fact that 44 per cent of businesses that responded to the survey from the Institute of Directors are saying that they do not really think that their employees have the right skills for the modern economy.

It also matters that the public and business understand, trust and value the qualifications system. In that regard, the Education, Children and Young People Committee has made an important point in paragraph 106 about whether colleges should be able to design their own qualifications and, if they should, how that would fit into a national design. That is particularly pertinent if there is to be a merger of some of the post-16 education agencies, for which I think that there is a good case.

What surely matters most is that educational successes and skills are increasingly adaptable in the modern world. Presently, all is not well. I mentioned that businesses are complaining about weaknesses in their employees' ability to harness basic skills. We know that college drop-out rates are still too high, as Audit Scotland has identified. I hear what the Scottish Government says about the

increasing numbers of people going to positive destinations, but we still have a debate about what "positive destinations" means, and we have an even bigger debate about tracking those who perhaps fall out of the education system.

In paragraph 113, the committee rightly highlights careers guidance, which members have mentioned. My party has a lot to say about how that can be improved, because the right careers guidance is essential to young people. We know what happens if they get bad careers guidance: that can affect a youngster's pathway for their future career.

There is a major issue of the college estate and how well suited it is to deliver the education of the future. The sector is complaining bitterly that successive cuts to colleges have, in some institutions, done long-term damage to that environment.

This debate is surely about what policies can deliver excellence in our institutions, maintain and enhance the sector's national and international reputation, and respond to the diverse needs of the local economy. The Withers report has a lot to say on that.

16:16

**Bob Doris (Glasgow Maryhill and Springburn) (SNP):** I thank committee members, clerks, the Scottish Parliament information centre and all the witnesses who supported our college regionalisation inquiry, which we are debating this afternoon.

Given the obvious challenges that the sector is facing, not least financial challenges, I want to set the undoubted success of college regionalisation in some sort of context. We are not in denial about the challenges, but we should celebrate the success of regionalisation.

I will begin by rewinding to 2011. Back in the day, when I was a regional MSP and Alasdair Allan was colleges minister, Alasdair accepted my invite to attend the then North Glasgow College, which today is part of Glasgow Kelvin College. We were there to discuss potential college regionalisation, as well as the excellent work of student rectors. The most important discussion was a round table with students, who spoke of confusion about clear educational pathways, from national certificates, HNCs and HNDs, to higher education, how different colleges work with each other, and different credit requirements. There was a real confusion and lack of articulation, and most students wanted to see reform.

The colleges regionalisation inquiry heard strong evidence that the aspirations of the students whom we spoke to some—Jeez—12

years ago now have broadly, although not entirely, been realised through college regionalisation. We have heard, in the debate, about the progress in Edinburgh, and there has been similar progress in Glasgow. A fragmented college network in Glasgow back then has been transformed—albeit not perfectly—into a three-college network, with colleges working much more closely and collegiately together to ensure, where possible, a smooth and coherent learner journey.

**Liz Smith:** Will the member give way?

**Bob Doris:** If I have time, Presiding Officer.

**The Deputy Presiding Officer:** I can give you a little bit of time back, Mr Doris.

**Liz Smith:** Does Bob Doris agree that we can make further progress if we take up the recommendations of the Withers report? Withers clearly pointed out that there is still confusion about the post-16 landscape.

**Bob Doris:** I am keen to look at that, as there are absolutely opportunities there. I would like time to have a look at that in a bit more detail, but I take on board the point that has been made.

We have a much smoother and more coherent learner journey as a result of regionalisation. Crucially, it is also true that there is greater course articulation between colleges and universities, which allows a greater amount of students from college to gain advanced standing when moving on to university. That allows further education students to receive full credit for prior college learning and to move into the most appropriate part of an undergraduate degree. They are not starting on day 1, year 1. They have that prior learning, and that should be recognised by universities.

There has been some progress. In 2014-15, that was the case in relation to 37.5 per cent of those who went on to university from a college setting. Currently, that figure is 58 per cent, so progress has been made, but our target is 75 per cent, so that progress is not good enough and there are recommendations in our report about doing far better. Sir Peter Scott described the progress as “glacial”. Our recommendations are directed towards higher education because it must do more in relation to articulation.

Regionalisation has also boosted our widening access agenda, and the best way to illustrate that is to quote Sir Peter Scott, who stated that regionalisation had produced

“larger institutions that are more comprehensive, more resilient and more self-confident”.

It was his view that the

“strengthening of the Colleges has allowed them to continue to play a key role in fair access”

and that, had their role not been strengthened, “their role in higher education could have been reduced”.

He concluded:

“Scotland’s record on fair access would be much diminished if it were not for colleges.”—[*Official Report, Education, Children and Young People Committee*, 1 June 2022; c 20.]

We have already heard that 40 per cent of those from the most deprived backgrounds who are studying at university started their learning career in colleges. That is a significant success.

I said at the start of my speech that we should not shy away from challenges. We need to be frank about the financial challenges that are facing the sector. I was deeply disappointed, to put it mildly, when the £26 million that was announced last December for colleges was withdrawn. In some respects, however, that is also a red herring. That £26 million was for one year only; it was not recurring. Colleges work on a three to five-year budget. I would be greatly sceptical about any college principal saying that the loss of that £26 million means fewer courses, more redundancies and more challenges on pay. Had that £26 million been put into the core settlement for each and every year, I have no doubt that some of the challenges that colleges face would have been much easier to cope with. We should not deny that those challenges exist.

Also on articulation, will course rationalisation impact on our ability to get to that 75 per cent articulation target? On widening access, I am concerned that the expensive outreach work that the colleges do in communities might fall by the wayside when they try to tighten their belts because of their budgets. We have to make sure that we do not go in the wrong direction on articulation and widening access.

Why is it that colleges provide the exact same SVQ level of course but get far less money than universities to do so? The Funding Council accepted that it had to address that point, and it is looking at it. I am concerned, however, that addressing that inequality would put an eye-watering financial burden on the Government. I am not looking for that gap to be filled in the immediate future but I want to see incremental progress for colleges because it is simply not fair.

A lot of good progress has been made with college regionalisation, but we should not be blind to the financial challenges facing the college sector in the current financial climate.

16:23

**Ross Greer (West Scotland) (Green):** In the previous session of Parliament, I developed a close working relationship with the unions that

represent staff in our colleges. At the election, I committed to them that I would advocate for a parliamentary inquiry into the situation in the college sector—specifically, on industrial relations and the significant breakdown in relations between unions and employers. The committee's report rightly does not focus exclusively on industrial relations, because colleagues across the committee had other priorities. The report is well rounded.

I am, however, pleased that an inquiry took place and that college staff got the opportunity to have their voices heard via their union representatives. I am particularly delighted that one committee member was so enthusiastic about the report that he raced straight back into Government to deliver its recommendations.

I will focus my contribution on industrial relations. The college sector moved towards national bargaining concurrently with regionalisation, although not through exactly the same process. It was a major step forward. Our college lecturers are now well paid, which is a credit to them and to their trade union. Sometimes a tone creeps into discussions about college lecturers' pay that gives the impression that they should be apologetic for what they and their union have achieved. They should not be apologetic; they should congratulate themselves for it.

However, in the education sector we have seen national strike action in seven out of the past eight years, which would not have been tolerated in most other sectors in our society. There have been three lessons-learned exercises, but clearly the lessons are not being learned. Something is deeply broken. There is a question about the extent to which the problem is about culture and interpersonal relations in the national negotiating framework, or is about the framework itself, or is about the structure of the national joint negotiating committee. So far, the NJNC's only achievement beyond annual pay negotiations has been a new policy on menopause. It is a good policy—I recommend it to other sectors—but that is so much less than what was aspired to when that national structure was set up.

I have heard that there have recently been improvements in the relationships between the two sides in the NJNC. I certainly welcome that. However, over many years one of the key issues has been that agreement is reached in the room, only for both sides to leave that room with radically different understandings of what the agreement was. Given that, and the recommendation from the lessons-learned exercise that there should be an independent chair, we now need to move towards that approach. I recognise that for many of my colleagues in the union movement there is significant reluctance, but we need to break that

impasse in respect of there being different understandings of something that both sides had apparently agreed to.

The current lessons-learned exercise should be the last one. I understand the Government's reluctance to get involved, but robust intervention is needed, not last-minute cash, if we are to subscribe to everything that is in the exercise. One of the exercise's clearest recommendations was that the Government should undermine such a tendency. In the previous session of Parliament I was more guilty than most of demanding that the Government intervene at the last minute with additional cash. I realise that, at the moment, there is no additional cash to go round. However, I would appreciate the minister's setting out when the Government expects to respond to the lessons-learned exercise. I recognise that the delay that has taken place so far has not happened at the Government's end; it is happening because the Government is receiving submissions from both sides.

**Martin Whitfield:** Paragraph 398 of the committee's report covers the responsibilities of the various parties on that, and it highlights the role that the Scottish Government should play. Does Ross Greer agree that its role is not only about improving the relationships between two parties but about facilitating actual understanding of what the agreement is?

**Ross Greer:** I welcome that intervention and agree that that is key. At various points in the past couple of years I have mooted with the union and college employers the question of what they believe the consequences would be if we were to move towards a tripartite negotiating system such as the one that we have for teachers. Both sides and the Scottish Government have significant reluctance about that, for obvious reasons that I understand. However, having an independent chair who is appointed by the Government but with the agreement of both sides would help with collective understanding.

I want to use my remaining time to focus on the situation at City of Glasgow College, where there are plans for 100 compulsory redundancies immediately on the back of a large voluntary severance process. I and staff at the college have repeatedly raised concerns about the consultation process; we do not believe that the 45-day statutory minimum period is adequate. I welcome the minister's letter to college principals, in which he reminded them of their fair-work obligations in that respect. The union's request for an extension of the consultation period has been rejected.

I am particularly concerned about scrutiny. Eighteen individual business cases are involved in those 100 redundancies, but the college board has not considered the cases individually. There has

been only what the college principal has described to me as “a quantitative consolidation”, which is to say “a summary”. I do not think that that is good enough. What more significant decision could a college board make than one about 100 compulsory redundancies? I have circulated to members of the Scottish Parliament a motion urging them to support calls for the board to scrutinise each individual business case before it makes that decision.

The other element of my motion is on the proposals for alternative savings that have been put forward by the EIS-FELA union. It is hard for staff to face redundancy in a college that has a large well-paid and multilayered senior management team that includes a principal who is one of the highest-paid public sector officials in Scotland and posts such as “executive chef”. The staff’s alternatives need to be taken seriously. I am concerned that they are going to the board only via senior management, who have a clear conflict of interests, given that the staff’s proposals include compulsory redundancies among the senior management team rather than among front-line lecturing and support staff. I hope that an unfiltered version of the report will be tabled, which the senior management team will have every right to respond to.

The situation also points towards wider issues about college governance, including the perception among many colleges’ workforces that they are the private fiefdoms of their principals and that there is insufficient scrutiny of them. The Parliament needs to accept some responsibility for that; colleges are public bodies, and we are, ultimately, responsible for scrutinising the public sector.

However, the boards exist for a reason. I am glad that we are moving towards mandatory trade union representation on boards; I pushed for that. However, we need to consider going further and, in a way, to go back to the future and consider appointing local councillors to college boards. Colleges should be rooted in their local communities. Councillors who are appointed by the local authority rather than by the board chair and the principal would be able to offer a level of robust scrutiny from which a number of our college boards would certainly benefit.

Our colleges are doing transformational stuff, and their staff and students deserve a lot of credit for doing so, because they are doing it while they face immense challenges—some of which are new, but most of which are well known. Together, the report of the Withers review and the committee’s report offer opportunities to address such challenges, even though the financial situation is unlikely to change. I hope that we will seize that opportunity.

**The Deputy Presiding Officer:** We move to winding-up speeches. There is absolutely no time in hand. I call Martin Whitfield. You have up to six minutes, Mr Whitfield.

16:30

**Martin Whitfield (South Scotland) (Lab):** I am grateful for the guidance on time, Deputy Presiding Officer.

I thank the Education, Children and Young People Committee, the clerks and the witnesses for the preparation of an excellent report. It speaks volumes about the committee’s tenacity that it has started to unpick one of the most complex webs that exists in the education sector across Scotland. Many of its conclusions are very broadly welcomed.

The Labour Party welcomes the detailed investigation. It is essential that the Scottish Government learns lessons from that, because Scotland needs its colleges. It needs colleges that are financially sustainable and can deliver for our students. There is a very welcome change in approach from the current minister in reaching out across the chamber to seek solutions, and from John Swinney, on focusing on the need for learner-centred delivery. It is only through learner-centred delivery that we can offer our young people and the not-so-young people who use our college facilities the sort of future that we need them to have and that they deserve from us.

There have been some fascinating contributions. I want to try to deal with some of those rather than with broader strategic measures, because I always seem to fail to give recognition to many good speeches when I am burdened with summing up.

If Sue Webber, who made an excellent opening speech, Graeme Dey and Stephen Kerr will forgive me, I will turn to Willie Rennie’s contribution on the question of the mental health challenge. I will reiterate the question to which he sought an answer from the minister, on when consideration of funding will conclude. We are but weeks away from the end—from termination of employment. For a relatively small amount of money, the service that people provide not only to students but to the wider college community with regard to mental health, particularly after the challenges of Covid, is exceptional.

Willie Rennie also mentioned the RSE report. Indeed, a number of members have mentioned it. Some of the conclusions have been drawn into many of the speeches that we have heard—in particular the final conclusion, on how important it is for colleges, the Scottish Qualifications Authority and whatever comes after it

“to work closely with other tertiary providers and businesses to ensure that ... qualifications ... are fit for purpose and enhance routes and opportunities for articulation.”

There is something in the Withers report about using language that speaks to our colleges being held in parity of esteem with universities in other ways. There is an opportunity to start to make inroads into the perception of inequality that exists.

Ruth Maguire made a powerful contribution. In particular, she referred to paragraph 163 of the committee’s report, which is about the need for colleges to serve our communities. Colleges were, historically, at the heart of our communities. Because of the historical changes, there are fewer of them, but the communities that they served are still there. I think of the number of young people who struggle with the formal education that school expects them to have who absolutely flourish when they go to college because they find themselves to be trusted by people who are there to be with them when they learn. They are trusted to ask difficult and complex questions.

That speaks in part to John Swinney’s very helpful intervention on use of technology. A lot of what our colleges offer—I am thinking of practical subjects in particular—is for face-to-face discussion. They say, “Don’t put your thumb in the vice”, or, “Don’t do this.” One of the great strengths of our college sector is that it can provide that in a supportive environment that perhaps some young people—and, indeed, older people—have not found in other venues.

**John Swinney:** I am grateful to Martin Whitfield for giving way. Given his experience of the school education system, he probably recognises that although school does not work out for some young people as perfectly as it does for most young people, the college sector does. We should be open to the concept of ensuring that young people are in the correct educational setting.

**Martin Whitfield:** I thank John Swinney for that powerful intervention. We all—the Scottish Government, the Scottish Parliament, and people across the whole of Scotland—need to recognise that one vehicle does not fit all. The college sector offers flexibility and support to people who were challenged at school and who are challenged in their communities to measure their own worth. We should use every vehicle that is available to us. As we heard in relation to careers guidance, we should open the eyes of our young people to the potential of college, because although they may be disillusioned with school, there is a different way and it might well be the best way for them.

I am very conscious of time, but I want to mention Carol Mochan’s powerful speech—in particular, because of the helpful intervention from the minister and his promise in relation to that

guidance and the leadership from the Scottish Government that has been called for. We heard, in that intervention, a promise to provide that leadership.

I welcome the committee’s report and the role that our colleges play; they are an essential element in the future of so many people in Scotland—be they currently at school, in jobs, or retraining and seeking other skills for the future. Colleges deserve our full support.

16:36

**Pam Gosal (West Scotland) (Con):** As shadow minister for further and higher education, I am honoured to close today’s debate on the college regionalisation inquiry on behalf of the Scottish Conservatives.

I thank the committee for producing a detailed and much-needed report. Ten years on from college regionalisation, it is vital that we understand how it has been working in practice and examine the position of Scotland’s colleges today. As convener of the cross-party group on skills, I regularly see presentations that make it clear just how big a role our colleges will have to play in the coming years as we move towards a greener economy.

Before moving on to my thoughts on the committee’s report, I will take some time to reflect on some of the speeches that we have heard this afternoon. My colleague Stephen Kerr spoke about how important the college sector is and how many different challenges it faces. He also talked about how colleges drive social mobility for many young people who might otherwise struggle to achieve their true potential.

My colleague Meghan Gallacher spoke about the real-life impacts of college cuts and how young people are being told that they can no longer take up the college places that they worked so hard for in the first place. My colleague Liz Smith spoke about how many businesses are concerned that their employees do not have the right skills and about the role that colleges play in equipping young people with the ability to harness basic skills.

The committee’s convener, Sue Webber, spoke about colleges being chronically underfunded and highlighted how critical they are to the success of our economy. The minister, Graeme Dey, spoke about the sector having a bright future. However, I fail to see that happening unless the Scottish Government makes some drastic changes to the funding. I hope that he stays true to his word and engages with members across the parties to find the right solutions.

Willie Rennie highlighted the need to make drastic changes urgently and to provide colleges with direction now, as they make those decisions on courses. Pam Duncan-Glancy talked about how colleges are limited in what they can do with the money that they have and the fear of losing the potential of regionalisation. Ruth Maguire spoke about the positive local example of Ayrshire College's project search course, which has done well in preparing students for work.

Unfortunately, due to time constraints, I cannot mention all members' contributions. However, what I heard from members of all parties was the importance of the role that colleges play in our economy—today, tomorrow and in the future.

One of the biggest concerns, which we have repeatedly heard about this afternoon, is the financial position that Scotland's colleges find themselves in today. The SNP Government likes to talk about how vital colleges are to a just transition and to the national strategy for economic transformation, yet it short-changes our world-class institutions at every corner. That is clear from the Government's recent U-turn on college funding, which removed the equivalent of £1 million from every college in Scotland. Shona Struthers, the chief executive of Colleges Scotland, called the decision "inexplicable".

I cannot speak for other members, but I have received countless emails from students and lecturers who are concerned about the state of Scotland's colleges. One student wrote:

"the future standards of my education, access to courses, support on every aspect of my college experience is at risk due to these cuts which will significantly cut the workforce on both the lecturing and support staff side".

**John Swinney:** Will Pam Gosal give way?

**Pam Gosal:** I do not have enough time—sorry.

She then asked me to intervene to prevent the compulsory redundancy of college staff. I have tried to do that—I have raised the matter on five separate occasions, but it has repeatedly fallen on deaf ears. That is baffling to me because, on most occasions, the Government is merely being asked to intervene less and to ring fence less. That is not just my view; that is quite clearly reflected in the Withers review.

In his recent review of the skills delivery landscape, James Withers wrote about the unnecessary complexity of the funding streams and education bodies. He urged the Scottish Government to take a clearer leadership role in post-school learning policy, which many others have called for today.

The publication of the Withers review is yet more evidence of the need to streamline the

current funding process for Scotland's colleges. The current system is holding the institutions back.

It is clear that, in the current environment, colleges will inevitably fall short of their potential. Buildings are falling to pieces, staff numbers are dwindling and there is limited financial flexibility. The SNP Government needs to listen to the committee and engage with the recommendations in its report. It needs to give our colleges the flexibility and the strategic direction that they are asking for, and it needs to commit to properly funding our colleges so that they are truly equipped to carry out the vital role that will be asked of them in the coming years.

16:42

**Graeme Dey:** Terrific stuff is happening in our colleges—we should highlight that much more. Personally, I have been hugely impressed, particularly with the work of Edinburgh College and with the innovative efforts of West Lothian College in the health and outdoor learning areas.

Questions around budgets and funding to support colleges to continue their work are quite legitimate. The Government is operating in a difficult financial environment. Throughout the committee's inquiry, we have heard about the financial challenges that colleges have been facing. Both are truths. However, as James Withers has acknowledged, there is no lack of investment in the skills in the post-school education landscape. The question is: how should we best make that work for the learner, the economy and the public purse as we look to the future?

As configured, the landscape is not financially sustainable. Therefore, it is a public sector imperative that we reimagine and reform post-school education and skills. We will need to work alongside employers, institutions, learners and other partners if we are to continue to deliver for Scotland as a whole.

Let me again be clear: I agree with the gist of what James Withers has said. Billions of pounds are invested in the system annually. That level of public investment comes with a real obligation to make sure that we are getting the maximum bang for our buck for our learners, and, within all that, there is a need to deliver a sustainable future for our colleges.

Throughout the development of the purpose and principles of post-school education, research and skills, which we anticipate will be published quite shortly, we have heard about the adaptability and the agility of colleges in responding to the needs of their learners and the local and national economies. Their work with other actors in the system, including employers, sector bodies,

training providers and higher education institutions, demonstrates the benefits of collaborative working to provide opportunities that best serve learners. The purpose and principles document is about creating a framework to deliver better social and economic outcomes from the investment that we currently make in post-school education, research and skills. We are working closely with individual colleges, unions, Colleges Scotland and the College Development Network in developing the principles. We know that the sector is ambitious and is capable of the reform that is needed to ensure that we have a post-school education, research and skills system that is fit for the future.

As I mentioned in my opening speech, we published the Withers review last week. As we have heard, the review includes recommendations that, taken together, would amount to radical reform of our post-school education and skills system. As I said, I am persuaded by the case for reform that James Withers has made, and I appreciate that the time to make the change is now. However, I also know that his recommendations chime with those that are coming through from other work, such as the Hayward review of qualifications and the development of the purpose and principles framework. It is important that the approach that we take in implementing any change is considered, planned and, critically, sustainable.

I will now focus on members' contributions. Willie Rennie asked about college pay policy. The sector is required to have regard to public sector pay policy, but it is not directly bound by it. I recognise that, regrettably, compulsory redundancies might be unavoidable in some circumstances. However, in my letter to principals and chairs last week, I reminded them of my expectations in relation to the approach that they should take on that issue.

On the wider point, I noted Willie Rennie's carefully chosen words about funding. He will recognise that money cannot be spent over and over again. The teachers pay settlement has placed additional pressures on the education budget. There is no money available for colleges without cuts having to be made elsewhere, and I know that Mr Rennie, given his genuine interest in the subject, would not favour cuts in relation to early years or tackling the attainment gap.

Mr Rennie also made a point about delays in bringing forward the student mental health plan. Let me take part of the responsibility for that. I am anxious to ensure that what we bring forward is absolutely deliverable and does not place unreasonable demands on colleges and universities. As part of that, we are taking a little more time to test the proposals with stakeholders.

I would rather take a little more time to get this right than get it wrong.

**Willie Rennie:** I appreciate the minister's efforts in that regard. However, I am still confused about the policy on compulsory redundancies. I thought that that was a hard line for the Government—I thought that it had said that no public sector worker would face compulsory redundancy. The position now seems to be different—why is that?

**Graeme Dey:** Mr Rennie is conflating two things, as I have explained.

I will move on to the issue relating to the Glasgow regional board, which Pam Duncan-Glancy highlighted eloquently. She and Willie Rennie called for the board's abolition. The future of governance in that region is a live consideration. As recently as last week, I met Janie McCusker, the chair of the regional board, to hear her perspective, and I have heard the perspective of members. I understand the arguments about the cost savings and reducing what is seen as bureaucracy—there is a view that the board represents an additional and unnecessary level of governance. However, such a move would require legislation, so that action could not be taken immediately. In addition, if we took such action, I, as the minister, would want to be confident that an appropriate level of oversight was in place in Glasgow.

**Pam Duncan-Glancy:** Will the minister take an intervention?

**Graeme Dey:** I do not have time—I am sorry.

Stephen Kerr talked about the statistics and the unfair picture that is painted of our colleges. I entirely agree with him on that, as he knows. The SFC is carrying out an in-depth review of the statistical publications and the background to the matter, which will conclude by the end of 2023, and other work is being done alongside that. I say to Mr Kerr gently that it was my predecessor who launched that review, which is now encouraged by me, given that he was maligning him unfairly earlier.

Not for the first time, Ruth Maguire raised the issue of flexibility, and she was right to do so. However, I hope that she will appreciate that the Scottish Government and Colleges Scotland are still working up ideas and talking them through. It would be wrong of me to highlight some of the ideas today, but I give her and other members the assurance that the Government is going into this with an open mind, with a view to seeing what can be done in the very short term and beyond. We are looking not just at resources but at how we might address some of the capital issues, particularly in relation to achieving net zero.

**Ruth Maguire:** Will the minister take an intervention?

**Graeme Dey:** I want to make progress, if I may—sorry.

Liz Smith made a telling and considered contribution, particularly on the Withers review. I agree with her that Withers makes very valid points, particularly the ones that she highlighted. However, I hope that she will understand that I want to spend a bit of time on these recommendations, because we have to get this right. We have a fantastic opportunity to reimagine the landscape, and we need to be sure that we are doing the right thing.

Bob Doris highlighted a point—which has stayed with me from the committee’s evidence taking—about the difference in funding for colleges and universities at SCQF levels 7 and 8. I have asked my officials to examine that issue with the Scottish Funding Council and to come back to me with advice. As we consider how we will respond to the recommendations in the Withers review and through the purpose and principles, there will be opportunities to ensure that the funding model across the system is administered to take better account of those issues. Bob Doris is right that the costs of dealing with that issue are extremely substantial, but he makes a valid point.

**Meghan Gallacher:** Will the minister take an intervention?

**The Deputy Presiding Officer:** The minister is about to conclude.

**Graeme Dey:** Sorry.

On Ross Greer’s point about an independent chair, that is an option for us to consider and it will be considered in due course.

**The Deputy Presiding Officer:** I call Ben Macpherson to conclude the debate on behalf of the Education, Children and Young People Committee.

16:51

**Ben Macpherson (Edinburgh Northern and Leith) (SNP):** It is my pleasure to close the debate on behalf of the committee. As someone who joined the committee after the publication of the report, I have had many insights from the debate, and I am grateful for the opportunity to listen to colleagues. I pay tribute to all colleagues on the committee and to those who were previously on it, including the minister and Kaukab Stewart, the previous deputy convener, for their work on the inquiry. I also pay tribute to other members for their contributions today. I join the convener, who spoke earlier, in thanking all those who shared

their knowledge and experience as part of the inquiry.

The committee considered how colleges have been impacted by the regionalisation process and the consequential mergers and how they are performing now. In its report, the committee highlighted the impact of colleges as they deliver the multiple facets of their role, which include helping to deliver the national economic strategy, providing opportunities for lifelong learning and driving social mobility. I have been interested to hear members’ contributions highlighting how colleges in their areas and more broadly have been delivering on those three main themes.

A number of members commented on colleges delivering the national economic strategy and using the increased platform that they now have concerning economic development in their regions. For example, Stephanie Callaghan talked about innovation and creativity, and Meghan Gallacher talked about how colleges are helping people to fulfil their potential.

**Meghan Gallacher:** Is the member concerned about the closure of student accommodation on campuses, particularly at New College Lanarkshire in my region, which has a detrimental impact on young people in rural areas?

**Ben Macpherson:** I appreciate that the member is raising that issue in their capacity as a regional MSP. However, I am speaking in my capacity as deputy convener of the committee, so I do not think that it would be appropriate for me to comment on it.

Willie Rennie and Carol Mochan talked about the process of ensuring that colleges are accessible for those in rural areas, which is important. In an intervention, John Swinney highlighted the potential for digital accessibility and digital innovation to help more people access learning opportunities.

On the second theme of lifelong learning and upskilling the workforce, colleges, as institutions of scale, respond to their regions’ business and societal needs and prepare the workforce for jobs in new industries. Many members, including the minister, reflected on the James Withers report. Liz Smith talked about the importance of local economies, and Pam Gosal highlighted the journey to net zero and scaling up for the green economy.

The third area was social mobility from widening access to opportunities including but not limited to higher education. A number of members spoke about that. For example, Stephen Kerr highlighted that colleges are

“a catalyst for social mobility”.

Pam Duncan-Glancy spoke of the success here in Edinburgh with regard to connections with the universities and about the connections between Glasgow colleges and employers. Martin Whitfield talked about the importance of lifelong learning and adult learners, Ruth Maguire talked about fair access and Bob Doris talked about coherent learning pathways.

**Martin Whitfield:** I am grateful to Ben Macpherson for giving way on that point. On a slightly related point, one of the issues that was raised in the report is about access to data, which was picked up in the Government's response, particularly in relation to free school meal entitlement. Did the committee consider the challenges with data, given the lack of applications for free school meals, which are provided from primary 1 to primary 5?

**Ben Macpherson:** I refer the member to the comments in the report about data, which I will also say something about shortly.

The committee found that the potential of colleges is being impacted by significant and on-going financial pressures and by a lack of flexibility, both financial and academic. In the cabinet secretary's response, she set out flexibilities that the Scottish Funding Council has put in place for colleges, including lowering the minimum activity threshold while increasing the cost per credit, so that colleges do not lose funding should they need to decrease their activity. Appreciating the severe pressure on the public finances, I was grateful to hear the minister's response in the exchange that he had with Pam Duncan-Glancy, in which he emphasised that the process will be shaped by colleges and that the Scottish Government will embrace proposals that come forward from them.

**John Swinney:** On the financial pressures, I think that we all acknowledge the scale of the challenges that are faced not just in colleges but across the public sector. Does Mr Macpherson believe that the Education, Children and Young People Committee might be able to consider, in taking forward some of the issues in the Withers review, how some of those financial challenges might be addressed in a collaborative way, perhaps using the committee as a forum where there can be honest dialogue about the realities of the public finances, with a focus on maintaining opportunities for aspiring learners in our college system?

**Ben Macpherson:** As a member and deputy convener of the committee, I welcome that constructive suggestion and note that the convener will also have been listening, as will other members in the chamber. As we consider the work programme for the period ahead, we can certainly take forward that constructive suggestion,

and I hope that the Government will continue to take forward consideration of the committee's report, as well as the Withers report.

The committee made it clear in its report that colleges should have as much flexibility as possible to help them to respond to the challenges that they are facing. The committee welcomes the Scottish Funding Council's engagement with its English counterparts to understand the financial flexibilities that English colleges have and how those might be applied in Scotland, but the committee stresses the need for urgency on the matter.

The report makes it clear that strengthening the college student associations and enhancing the student voice have been successes of regionalisation, which Bill Kidd talked about. During the inquiry, the committee also heard about the different funding models for student associations, from a fully independent model such as that at Edinburgh College, to an arm's-length model such as that at Forth Valley College and a model that, in effect, treats the student association as a department of the college.

The committee also heard how the degree of financial independence, or the lack thereof, could affect how much student associations could challenge their principals and boards. Although the committee recognised that student associations should have flexibility as to how they are constituted, given the potential for disparity in their ability to challenge their boards and principals, the committee asked the Scottish Government to consider whether minimum standards should be set to ensure that they have appropriate levels of funding and independence in order to protect their ability to challenge. Sue Webber raised some of those points in her opening speech, as did Ross Greer.

As members across the chamber have highlighted, the committee's report strongly supported the work that colleges are doing and celebrated the significant contribution that they make. However, the committee felt strongly that the data that is currently collected and published regarding completion rates at colleges does not accurately reflect the performance of colleges or, indeed, the performance of individual students.

Therefore, the committee welcomes the fact that the Scottish Funding Council has initiated the collection of students' reasons for withdrawal from colleges and will work with Colleges Scotland and the College Development Network to improve the capture of student withdrawal data in future years to enable publication.

The committee heard evidence about the limitations of using postcode-level data—that is, the 20 per cent most deprived areas according to

the Scottish index of multiple deprivation—as a tool for identifying disadvantage. It acknowledges the creation of the access data short-life working group earlier this year to improve that situation. That relates to the points that Martin Whitfield raised in an intervention.

I once again thank fellow committee members and all members who contributed to the debate for their remarks and suggestions. I also thank the Scottish Government for its feedback and reflections. The committee will continue to welcome any further thoughts that the Government has on the report.

We should all welcome the key role that colleges play in Scotland and agree that their continuing resilience is vital to Scotland's economy and society.

**The Presiding Officer (Alison Johnstone):** That concludes the debate on college regionalisation.

## Junior Minister

### **The Presiding Officer (Alison Johnstone):**

The next item of business is a debate on motion S6M-09508, in the name of Humza Yousaf, on the appointment of a junior Scottish minister. I invite members who wish to speak in the debate to press their request-to-speak button.

17:01

**The First Minister (Humza Yousaf):** Before I move the motion in my name that Fiona Hyslop be appointed as a junior Scottish minister, I pay tribute to the outgoing minister, Kevin Stewart. He has been a key member of the Government for more than seven years and served in a number of different portfolios. I pay tribute to his bravery in being so up front about his mental health. As a former Minister for Mental Wellbeing and Social Care himself, Kevin knows full well how often we try to encourage each other to reach out to those around us when we are not okay. Telling people to do that and doing it are two different things. Let us be frank: as politicians, we are not always good at practising the advice that we give to others.

Kevin will be missed from the Government. However, I have no doubt that we will see him back in ministerial office soon and I know that he will be given a very warm welcome by colleagues on the back benches. For now, I offer him my sincere thanks for his services to the Government and am sure that the whole chamber sends our best wishes to him. [*Applause.*]

I turn now to today's appointment. Fiona Hyslop needs little introduction. As she is one of the longest-serving ministers in the history of the Scottish Parliament, the wealth of experience that she brings is almost without parallel. In the education portfolio, Fiona abolished tuition fees, for which a whole generation of students is undoubtedly enormously thankful. In external affairs, she represented the Scottish Government overseas and built strong and lasting relationships that serve us well to this day. In economy, she worked tirelessly to support jobs and businesses during the pandemic. Of course, she is also revered—I do not think that that is too strong a word—in the culture sector for the support that she has given over the years.

Having served as Fiona's junior minister at one point and having observed her over a number of years around the Cabinet table, I can say that there are few ministers who will so doggedly and tenaciously fight for the interests of their portfolio. I expect her to continue to do so.

The transport brief is one of the most demanding in the Government. Having done the job myself, I know that it is wonderfully rewarding

supporting the thousands of people who work every day to keep Scotland moving. However, let us also be honest that being the transport minister in any Government means that you can get little credit when things go well and might find that, at the moment that anything goes wrong, the whole country knows who you are. Fiona has the experience, expertise and, most importantly, ability to be an excellent transport minister.

With Fiona's appointment comes the opportunity to make some minor changes in my Government. I am strengthening Màiri McAllan's remit and freeing her to take a direct, day-to-day role in transport and, in effect, explicitly bringing the transport brief into the Cabinet. I am also using the opportunity to bring some extra support to the rural portfolio by expanding Gillian Martin's role and ensuring that Richard Lochhead's title reflects his responsibility supporting businesses across Scotland. That will ensure that the Government's significant policy plans can be pursued with vigour.

I ask Parliament to approve Fiona Hyslop's appointment.

I move,

That the Parliament agrees that Fiona Hyslop be appointed as a junior Scottish Minister.

17:05

**Graham Simpson (Central Scotland) (Con):** We are finally about to fill the job in the Government that no one apparently wanted. Humza Yousaf has managed to conjure up a ferry-like delay in replacing Kevin Stewart, who was the latest in a long line of Scottish National Party figures to decide, for whatever reason, that it was not for them. Of course, I wish Mr Stewart all the best, and I have told him that now

Transport is seen as the poisoned chalice of Government, but only because everything goes wrong under the SNP, so let us hope that someone of Fiona Hyslop's clout can get it right. I was going to say that I thought that it should be a Cabinet position, but I am pleased to see that Màiri McAllan is getting transport in her brief.

I am delighted that Fiona Hyslop has got the job, because it needs someone of her experience with a proud record of delivery—for instance, the last time that she was in the Government, she announced another delay to ferries 801 and 802, telling Parliament in August 2020 that the Glen Sannox would be delivered between April 2022 and June 2022, with 802 planned for December 2022 to February 2023. She was quite adamant, Presiding Officer.

We know that the SNP is in hock to the Greens, but this new ministerial recycling scheme is evidence that it is in it all the way. It is a kind of

governmental deposit return scheme, except that we do not get the 20p back when we have finished with the minister.

I know that—*[Interruption.]* I honestly know that Fiona Hyslop and I can work well together. We have become firm friends on the Economy and Fair Work Committee. She has invited me along to see the cycle park in her constituency, and I look forward to cycling around the course with her. It is important that we work together. Boats, trains, planes—*[Interruption.]*

**The Presiding Officer:** Mr Simpson, please continue. I ask that we resist any temptation to call out while Mr Simpson is speaking.

**Graham Simpson:** Thank you, Presiding Officer. Boats, trains, planes, automobiles and the A9 all matter—without a properly functioning transport system, the country does not work, so I wish Fiona Hyslop all the very best.

17:07

**Martin Whitfield (South Scotland) (Lab):** At the outset, I extend to Kevin Stewart at a personal level my wish for him to regain his health, and I extend my admiration for the honesty that he has presented. Although it was but a short period of time that he was in office, he showed heart if challenged about solving some of the problems.

That brings us to the nomination of Fiona Hyslop. There are few people who could come with as much knowledge and wisdom, and perhaps even the T-shirt for Government experience, having formerly been Cabinet Secretary for Education and Lifelong Learning between 2007 and 2009, when certain challenges in the education field led the then First Minister to reappoint her as junior Minister for Culture and External Affairs. We have heard of the influence that she had during that period all the way through to 2021, when she decided, after 14 years, that she wanted to step down from Government. How short that time was before she was called back.

I also take the opportunity to point out to the current First Minister, as he repots his green portfolio and rearranges the deck chairs, that there was perhaps a missed opportunity to claim his deposit back from Lorna Slater's portfolio and try to put the fire out in the DRS scheme by redeploying someone new to it.

I welcome the appointment of the new minister. Transport is an incredibly challenging brief, and it is good that it is now represented at Cabinet level. I wish Fiona Hyslop all the very best. I hope that the rising tide brings good fortune, but as tides turn, it may take others to put right the mess that has been led to.

17:09

**Gillian Mackay (Central Scotland) (Green):**

On behalf of the Scottish Greens, I welcome Fiona Hyslop to her post. She has been personally supportive of me as a new MSP, and she has been a constant contributor in this parliamentary session from the back bench and in committee. As we have heard from other members, she comes with the clout that we need for the transport portfolio.

We wish Fiona Hyslop every success in what we all know is a demanding ministerial brief at any given time. However, as she was the Cabinet Secretary for Economy, Fair Work and Culture during the pandemic, she is no stranger to challenging circumstances. We look forward to working with her on the scrapping of peak rail fares this October, engaging on the outcomes of the fair fares review and building on the success of under-22s free bus travel, as well as working on the decarbonisation of transport across Scotland.

I thank Kevin Stewart for his collaborative approach to the Bute house agreement in his various roles over the past couple of years. I echo the comments of the First Minister on Kevin Stewart's bravery. I very much enjoyed working with him when he was the Minister for Mental Wellbeing and Social Care. On behalf of the party, I wish him well, and I look forward to him being back in Parliament soon.

**The Presiding Officer:** The question is, that motion S6M-09508, in the name of Humza Yousaf, on the appointment of a junior Scottish minister, be agreed to.

*Motion agreed to,*

That the Parliament agrees that Fiona Hyslop be appointed as a junior Scottish Minister.

**Decision Time**

17:11

**The Presiding Officer (Alison Johnstone):**

There is one question to be put as a result of today's business. The question is, that motion S6M-09414, in the name of Sue Webber, on behalf of the Education, Children and Young People Committee, on college regionalisation, be agreed to.

*Motion agreed to,*

That the Parliament notes the conclusions and recommendations contained in the Education, Children and Young People Committee's 2nd Report, 2023 (Session 6), College regionalisation inquiry (SP Paper 331).

## Women Prisoners

**The Deputy Presiding Officer (Liam McArthur):** The final item of business is a members' business debate on motion S6M-08593, in the name of Katy Clark, on women prisoners. The debate will be concluded without any question being put.

### *Motion debated,*

That the Parliament notes reports that the women's prison, HMP Cornton Vale, is set to close and be replaced by HMP & YOI Stirling on the same site by the summer of 2023; further notes, with concern, reports that Scotland has had one of the largest female prison populations in northern Europe since 2010; understands that nearly 40% of women charged are not charged for a violent offence, with 63% of women in the sentenced population indexed under Group 1 (Violence) in the recorded crime statistics; notes the findings of the *International Review of Custodial Models for Women: Key Messages for Scotland* by the Scottish Government social research department in 2015, which concluded that "countries with lower rates of female prison populations tend to have different sentencing practices, including a greater use of alternatives to custody and open prisons than is currently available in Scotland"; further notes the view that Scotland's remand rates for women are too high, including in the West Scotland region; notes that the Scottish Prison Service confirmed in January 2023 that approximately 36% of women prisoners are on remand, higher than the percentage for prisoners who are men; further notes the view that the vulnerable nature of many women prisoners, offending patterns among women and the reported high percentage of women prisoners who are mothers and high percentage of women who have suffered brain injuries as a result of repeated domestic abuse, demonstrate that fewer women should be remanded into custody, and notes calls for the Scottish Government to reverse the real terms cuts to the justice budget, to fund and develop strategies to reduce the number of women on remand, and to consult with women's groups to develop sustainable alternatives to custody that reflect the specific circumstances of women.

17:13

**Katy Clark (West Scotland) (Lab):** I welcome this opportunity to raise issues in the chamber relating to women prisoners in Scotland and to express my thanks to members who have signed the motion to enable the debate to take place.

My motion refers to the closure of Cornton Vale women's prison and the opening of the smaller HMP Stirling for women. Of course, historically, Cornton Vale housed all of Scotland's women prisoners, but there are now a number of prisons with women's wings across Scotland. Cornton Vale closed earlier this year, with women's prisoners being transferred to other establishments.

The 2012 review by former Lord Advocate Elish Angiolini described conditions at Cornton Vale prison as "antediluvian" and "appalling". Recently, members of the Criminal Justice Committee visited the new Stirling prison and we were

impressed by what we saw. The original proposal in the Angiolini review was for there to be a smaller number of units for women across Scotland, with a greater focus on support and rehabilitation. Last year, two custody units were opened—one with 24 places for women, in Maryhill in Glasgow, and one with 16 places for women, in Dundee. We are advised that those new facilities have been occupied, at best, at only 52 per cent capacity since opening, and representations have been made to the Scottish Government to ask that the criteria for admission be expanded. We understand that the Scottish Prison Service is looking at the issue and I would be grateful for an update on that from the minister today. I am sure that the minister will agree that we would wish these new state-of-the-art facilities at Stirling, Dundee and Maryhill to be fully utilised.

**Michael Marra (North East Scotland) (Lab):** I thank the member for bringing the debate to the chamber. Just yesterday, I had the pleasure of visiting the Bella centre in Dundee and I have to say that its provision for women make it an outstanding facility. I met some of the women who are housed in that facility and they talked of the great benefit that they feel that it is having.

Could Katy Clark reflect on the need for the Scottish Government to learn the lessons of that developing practice? Does she, like me, want to hear more from the Government about what studies might be undertaken to learn the full experience of women in that place and how we can best spread best practice across the rest of the estate? I would be keen to hear more on what research is in place to support that.

**The Deputy Presiding Officer:** I can give you the time back, Ms Clark.

**Katy Clark:** I am grateful to Michael Marra for his intervention and welcome the fact that he has already paid a visit to the Bella centre. I agree that we must look closely at what happens there. A huge amount of public money has been invested in those facilities, which have been established as a result of work that has been carried out over many years and as a result of recommendations in the 2012 report that I referred to earlier. Therefore, as well as reviewing what happens in those places, we need to ensure that they are fully utilised and that all the places are made available to the women who can benefit from them.

The Scottish Government's stated intention is to transition towards a trauma-informed approach to justice, and I support that evidence-based approach, particularly in relation to women offenders. However, I have to say that I am concerned about the gulf between policy and practice.

The closure of Cornton Vale gives us a good opportunity to reflect on women's offending, how we deal with that as a society and the patterns of sentencing. I have to say that the Scottish Government's policy on women offenders is very similar to the one that was adopted by Scottish Labour in Government. That was quite a number of years ago, so I think that we need to reflect on why it has been so difficult to deliver in practice the policy that politicians have set out.

We know that women make up a small percentage of the overall prison population, but, proportionally, Scotland has one of the largest female prison populations in Europe. There are approximately 300 women in custody in Scotland, and the numbers seem to be increasing. We also know from Scottish prison statistics that that is not because women in Scotland are committing more violent offences than women in other countries, but because Scotland has a different approach to women's offending.

**Paul Sweeney (Glasgow) (Lab):** I thank the member for giving way. She is making an excellent speech.

Does the member agree that the cost that is associated with incarcerating someone is significant, at an average of around £35,000 a year, and that that presents an opportunity cost, as that money could be much better spent in a way that would achieve much better outcomes?

**Katy Clark:** Yes, I believe that, for many prisoners, and for women prisoners in particular, it would be better to spend the considerable amount of money that it costs to incarcerate them on interventions that might be less costly and more effective.

The new establishments will house only a minority of women prisoners unless we significantly reduce the overall numbers of women in custody in Scotland. We know that, overall, Scotland's prison population is the highest in Europe, and that our remand figures are also significantly higher than those in other European countries. That is the case in both the men's estate and the women's estate: the remand rate in the men's estate is currently around 29 per cent to 30 per cent, and the latest figure that we were given in relation to the remand rate for women's prisoners is higher than that, at 39 per cent.

If we look at the pattern of offences, we can see that women account for different kinds of convictions from men, and we see relatively higher proportions of convictions for crimes such as shoplifting and fraud among the female prison population. It is fair to say that most women prisoners present less risk to society. However, obviously, they have challenges themselves and also present challenges to society, and, often, they

will be in chaotic circumstances that are difficult for society to manage. Sheriffs have often said that they find it difficult to know what to do with women and will remand women as it is unclear what alternatives are available.

The low number of women offenders means that there are often fewer alternatives to custody available for women than there are for men. We need to focus on robust alternatives to custody, which are both more effective and cheaper. As I say, often, at the moment, those alternatives do not exist.

Custodial sentences can be blunt instruments. Only this week, a woman in England received a custodial sentence for procuring an illegal late-term abortion. We know that the offences that women who are convicted of murder are convicted of often relate to abusive partners, so offending patterns tend to be different among women prisoners.

Research from abroad and practices in places such as Scandinavia show that those countries have fewer women in custody and that they take a less punitive approach that emphasises rehabilitation. For example, community supervision and electronic monitoring are widely used in countries such as Sweden in relation to cases in which we would put somebody in prison.

For the most part, the types of models that are being adopted in other European countries are not available in Scotland, even though we know that only about 40 per cent of women who are charged are charged with a violent offence. We also know that women prisoners are vulnerable, are more likely to have suffered violence or sexual abuse, have caring responsibilities or are mothers. Recent research has also shown that many have repeated head injuries or, indeed, significant health issues.

I believe that there is a consensus in this Parliament that remand figures are too high and that we need to refocus the justice system, particularly for women offenders, and I warmly welcome all who are here today in the chamber and look forward to their contributions.

17:22

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** I am pleased to have the opportunity to speak in the debate, and I thank Katy Clark for bringing the motion to the chamber and congratulate her on her excellent speech.

I agree entirely with the view expressed in Katy Clark's motion that our women prisoner and remand population in Scotland is far too high. Incredibly, 40 per cent of women in prison have not been charged with a violent offence. A large

proportion are victims of domestic abuse and have suffered brain damage as a result of living with a violent man. Many are addicted to drugs or alcohol, brought on by trauma and a chaotic lifestyle.

No woman would choose to go down the path of incarceration and risk losing their home, job and, often most importantly, children. Prison is not the place for them. We know that prison wrecks families and relationships for women and men; that even though many of the 36 per cent who are on remand—a figure that is proportionally much higher for women than it is for men—do not go on to be incarcerated, by that time the damage has often been done; and that most of these women have children. The excellent third sector organisation, Families Outside, is literally a lifeline to those families struggling to cope when a loved one is incarcerated.

With the exception of the most serious offenders, prison is not the place for women. It can only exacerbate the problems that caused them to be there in the first place. So, why are so many women being locked up? Sadly, there is a lack of data around why sheriffs are taking the decision to remand or send women to prison, but the reason why it is happening is important. Is it because there is a lack of alternative options or is it for their personal safety? Until we have the data, we simply do not know.

As convener of the cross-party group on women, families and justice and as a member of the Criminal Justice Committee, I know that this issue has been at the top of the agenda for years, but there has been no real improvement in the figures. However, we are on the right trajectory with the approach set out in the Scottish Government's "Vision for Justice in Scotland" document, and with the Bail and Release from Custody (Scotland) Bill and the Victims, Witnesses, and Justice Reform (Scotland) Bill.

The reality is that the current justice system was, historically, designed by men for men, and it really does not meet the needs of more than half of our society. Women and children must be at the heart of our approaches to justice. We must progress a person-centred approach to rehabilitation, where people are supported in the most appropriate and effective setting, and shift the balance to ensure that the role of custody will be reserved only for cases in which no alternative is appropriate.

Everyone going through the criminal justice system should have access to the support and rehabilitation that they need. In that regard, as we have heard, the Scottish Government has instigated four new women's custody units alongside HMP and YOI Stirling, which is being built on the same site as Cornton Vale. The Liliastown

centre in Maryhill, Glasgow, and the Bella centre in Hilltown, Dundee, are the two that we have heard about today and are the ones that are open now. I was privileged to visit the Liliastown centre just before it opened its doors. It offers a gender-specific and trauma-informed space where assessed women can express and explore the life circumstances that have led them to be in custody, and it will provide a range of evidence-based interventions aimed at maximising the opportunity for reflection, reparation, rehabilitation and, ultimately, reintegration into the community.

We now understand trauma and its lifelong effects. We know that, with intervention, care and support, women who end up in the justice system can reach their potential and live the life that most of us take for granted. Safety, respect and dignity are the very least that those women can expect. We are on the right track to achieving that, but there is still much to do.

17:26

**Jamie Greene (West Scotland) (Con):** I thank Katy Clark for bringing to the chamber this important, worthwhile and interesting debate, and I thank members for staying to participate in it. I know how strongly Katy Clark and others in the chamber feel about this issue, and it is right that we give it some time and substantial attention today in the short period that we have. I think that there is also, largely, cross-party support for many of the issues involved. The Criminal Justice Committee works extremely well on a cross-party basis on issues such as this one, and I think that the results that can be seen in many of our stage 1 reports reflect that way of working, which I commend to Parliament.

It is fair to say that, for most people who find themselves remanded into custody and who have committed a crime of some sort, that does not happen in a vacuum and the incident is rarely an isolated one. For example, from various studies, some of which I will reference today, we know that a large proportion of women in custody are victims of domestic violence and abuse. In fact, a recent SPS survey—actually, it is six years out of date, so these figures could probably do with some updating—reported that 70 per cent of the female prison population had been the victim of violence committed by their spouse or their partner, and around 78 per cent reported a history of serious head injury and trauma. I do not know what link one can make between that and the on-going cycle of violence, but, clearly, some academic research needs to be done into that.

What happens in someone's adult life is not the only factor. We know that adverse childhood experiences and trauma are large contributors to outcomes in our prison population. The study that I

referred to, which was done across four prisons, found that 85 per cent of women in prison had experienced childhood trauma, and that 92 per cent of them had gone on to experience further trauma in adulthood. In fact, 60 per cent of women in our prisons meet the diagnostic criteria for post-traumatic stress disorder, which involves actual or threatened serious injury, violence and harm. If violence is all that someone has known from childhood through to adulthood, where on Earth did we expect those people to end up other than prison?

In the short time that I have, I want to touch on not only the issue of cycles of violence but the whole system. Perhaps there are some gaps. We know, for example, that analysis of the female prison population shows very low levels of literacy and numeracy. On a technical level, only 23 per cent of those who were recently assessed had Scottish credit and qualifications framework levels 3 or 2, indicating that they lacked basic literacy functions, and the same is true with regard to numeracy. In fact, I was really surprised to learn that, in a sample of 99 women in Cornton Vale, only 5 per cent of them had post-secondary level qualifications, 42 per cent had no formal qualifications at all and 33 per cent were deemed unable to work outside of the prison environment due to illness or disability.

However, I think that it is fair to say that no one is calling for a blanket ban on sending women to prison. Clearly, in some instances, it is the only place where someone should be.

I am intrigued and struck by comments that sheriffs are somehow remanding people into prison because they deem there to be no other option. I do not know whether that is anecdotal or whether that is true. If it is true, I find that extremely worrying. Public services should be there to fulfil the needs of even those who are accused of crime. Equally, however, recently in my region, I dealt with the case of a female offender who was in prison for a very good reason. She had beaten and sexually assaulted two very young children. She was released after serving just 18 months of her sentence, which led to a conversation locally—instigated not least by victims and victims' organisations—about whether there was any fairness in that. I am afraid that, for better or worse, some women are capable of very serious crimes. In such a case, custody is the only option.

As others have, I have visited the Lilies centre in Maryhill. There was no one in it at the time, but I could certainly see that it was a different model. Katy Clark is right that it is a very expensive model. However, the ideas of self-management and housing people in households are intriguing. There is a lot to be learned from that initiative. I

will be intrigued to see how it progresses and what the outcomes are, particularly when it comes to reoffending.

Time is short today. At the last election, my party's manifesto had some very specific asks of the Government. Perhaps I will send those on to the minister in writing, to make it easier for the Government to respond—in particular, to those around access to mental health and addiction services in prison and assessment on arrival. I am sure that lots of good work is happening, but I think that it could be improved.

Again, I thank Katy Clark and all members for participating in the debate. Perhaps it is the start of a debate, in the short time that is left in this parliamentary session, to look at some of those outcomes and at what we can all do, on a cross-party basis, to ensure that there is not only fairness but compassion in the justice system.

17:32

**Pauline McNeill (Glasgow) (Lab):** I thank my colleague Katy Clark for her choice of the subject of the debate, and for her excellent speech. The topic is critically important to justice policy, and I am glad that we are discussing women's offending and the treatment of women prisoners in Scotland's criminal justice system.

As many of my colleagues have noted, Scotland has one of the largest female prison populations in northern Europe—as has been the case since 2010—yet women make up only 4 per cent of the prison population. A recent review of evidence found that women are less likely to receive a custodial sentence than men and that, when they are sent to prison, their sentences are usually shorter.

Sadly, it has taken us almost 20 years, or more, following various reports criticising the current system for women, to finally recognise the unique characteristics and needs of women in custody, and the fact that many should not be in a prison, as another facility would be more appropriate.

As Rona Mackay mentioned, the Criminal Justice Committee recently had the opportunity to visit HMP Stirling. I, too, was very impressed by the set-up and by the work that the Scottish Prison Service has done there. The site has no high security fences. To all intents and purposes, it is a prison, but it is completely different from Cornton Vale prison.

Women are a vulnerable group. Jamie Greene spoke to that. Often, they have been subjected to domestic violence, coercive control and sexual abuse, including rape. Women in prison have significantly greater rates of poor mental health than women in the general population or male

prisoners. One of the top issues for women prisoners is unresolved trauma. We also deal with prisoners who have huge learning difficulties. The characteristics of the female population are an important factor.

In 2021, the Mental Welfare Commission for Scotland published a report on women with mental ill health in prison in Scotland, noting serious concerns about the segregation of women for extended periods and the conditions in which women were held. A significant concern was women's access to medication and the recording of that. The commission noted that there were gaps in the dispensing of medications for physical and mental health in individual cases, amounting to significant gaps in treatment. The Scottish Prison Service indicates that many women should be in a mental health facility rather than in prison, because of the powers that are needed to deal with those issues.

Women in prison have higher lifetime instances of trauma, including repeated physical and sexual victimisation, than either male prisoners or women in the general population. A study conducted by researchers at the University of Glasgow found shocking evidence that around three quarters of women in prison suffer from a self-reported significant head injury, and that 40 per cent also have an associated disability.

Prison disrupts women's lives and has long-term effects on the lives of their children. Although precise figures are hard to obtain, it is estimated that approximately 65 per cent of women in prison in Scotland are mothers. Shockingly, only 5 per cent of children stay in their own homes once their mother has been imprisoned. The effect of women's imprisonment on families, especially young children, can be utterly devastating. As women are much more likely than men to be the primary carer, the impact of a mother's imprisonment on children is more pronounced, ranging from their having to move home and school, to their having poor academic performance, increased risk of mental health problems, and involvement in the criminal justice system.

We know that women's offending is different and we need to recognise that women are in prison for fairly minor offences, such as theft, fraud and minor drug-related offences. Only a small minority of women are convicted of violent offences, and a large majority of them have been victims of violence themselves. It is important to highlight that when we develop prison policy.

The introduction of community custody units, such as the Bella centre in Dundee and the Lillas centre in Maryhill, is welcome and long overdue. They are an incredible development and are part and parcel of a redesigned system. One thing that

I thought when I visited them was that the overall numbers need to be revisited. Previously, we would imprison 400 women, so we need to make sure that those alternatives to custody exist and that those units are used in the way in which they are meant to be used. A recent report said that at least one of the units was half empty after six months. We must make sure that we use that resource and use it well.

We know that there is a systemic level of violence against women and girls. When women offend, we must make sure that they are housed in an appropriate setting and that they get the opportunity to rebuild their lives. I commend the Scottish Government on making significant progress in creating a new setting for women who offend, and I look forward to the other speeches this afternoon.

17:37

**Collette Stevenson (East Kilbride) (SNP):** I am grateful to Katy Clark for bringing to the chamber this debate on women prisoners.

Although Katy Clark and I share similar concerns about remand in general, it is important to note the reasons for the higher percentage of women on remand. The average daily population of women in prison has been decreasing in recent years, and that is welcome. On top of that, there was a 7 per cent reduction in the sentenced population in the women's estate in 2021-22 compared to the previous year, while the remand population remained stable. The effect of that has been an increase in the percentage of the total population, even though the number of women on remand has not increased. In saying that, I do not disagree that we should be looking at what more can be done to reduce the remand population in women's prisons. The Bail and Release from Custody (Scotland) Bill, which is going through Parliament, will offer additional measures to reduce the use of remand unless absolutely necessary.

In 2019, figures showed that about nine in 10 women who were sent to prison were given a prison sentence of 12 months or less, so it is welcome that Parliament voted for a presumption against such short sentences. Evidence shows that short sentences are ineffective, and the ripple effect of someone going into prison for a few months can cause disproportionate harm to families and, ultimately, society. There is of course a role for prisons, but they must be modern institutions delivering outcomes that improve society.

Victims of crime deserve justice and, in many cases, that will be obtained through a custodial sentence, but there are times when community

disposals might be more appropriate. That point ties in with the important point that the motion makes about the prevalence of brain injuries in women in prison and, in particular, those that are acquired through experiencing domestic abuse. Many of the women in prison have experienced abuse, mental health problems or substance misuse, so a key part of reducing reoffending and building a safer Scotland is to ensure that women in prison are supported to reintegrate into, and contribute to, society.

We are all aware of the struggles at Cornton Vale in supporting prisoners with their mental health. The new women's prison at Stirling has been designed to provide a safe and secure environment where intensive mental health support is available.

Furthermore, the Scottish Prison Service has built new community custody units, including the Liliac centre in Maryhill, which I visited recently. It was good to see the gender-specific and trauma-informed model that the centre uses to best prepare women for reintegrating into the community. Part of that work involves allowing women to engage with the local services that they will need when they are released. That is an issue that the Criminal Justice Committee has talked about at length. The Bail and Release from Custody (Scotland) Bill will stop Friday releases to give people the best possible support when they leave prison.

Positive steps have been taken in recent years, from the presumption against short sentences to the use of trauma-informed approaches and community custody units. I have enjoyed hearing from other members, and I look forward to hearing what the minister has to say about the on-going work to ensure better outcomes for women in prison, which will ultimately help to deliver a fairer and safer society.

17:41

**Maggie Chapman (North East Scotland) (Green):** I thank Katy Clark for securing this important debate.

I and my Scottish Green colleagues share Katy Clark's concerns, in particular about the fact that Scotland's record on the incarceration of women continues to be so disappointing, especially in comparison to that of our northern European neighbours.

Most, if not all, of us here this afternoon will agree with the objective of fewer women being remanded into custody. We also want far fewer women to be given custodial sentences on conviction, and we want there to be a much more humane, flexible and sensitive environment for those who are already living in prison. The difficult

question is how to achieve those outcomes. To do so, we need not only to address issues of process, policy and funding, but to confront some deep-seated social attitudes and some intractable narratives that are blocking our path in following global best practice.

One of those is the binary Manichaeian myth of a bright line between survivors and perpetrators of crime. This Parliament is rightly becoming much more conscious of the needs of victims and survivors, especially those who have experienced sexual, domestic and other forms of violence. What is not so widely acknowledged, especially by those who would use victims' rights as a cover for deeply regressive ideologies, is that the same childhood traumas—the same experiences of abuse and exclusion—can lead either to the witness stand or to what used to be called the dock. The use of language such as “thugs”, “monsters” and “scum” and the demonisation of defendants do nothing to help survivors; they only make it more likely that they themselves will face the same vilification, as the unaddressed cycles of violence, abuse and trauma make their terrible rotation. It is literally a vicious circle, which is perpetrated by right-wing populism in politics and the media, and it intersects with the second noxious narrative—that prison is the only way of taking crime seriously.

We know that incarceration does not lead to rehabilitation. In fact, prison is often one of the worst possible environments in which to achieve social integration and moral maturity. Prisons are not safe places that are free from violence, coercion or traumatic events. We know that incarceration does not act as a deterrent, because people on the verge of committing offences simply do not make those cost benefit analyses.

On the other hand, we know that alternative responses—including restorative and community justice—work and lead to resolution and closure for survivors and to responsibility and reparation by those convicted. However, for as long as the tabloid headlines, and those who take their policy positions from those headlines, weigh justice solely in terms of years behind bars, those alternatives will be starved from the outset. That failure hurts everyone—except, perhaps, those newspaper proprietors and their mouthpieces—but it hurts women most, and it hurts the children whom they care for.

Without sensitive, flexible and holistic support for women who are charged with an offence, remand can seem to courts like the least-worst option. The Bail and Release from Custody (Scotland) Bill, which we will debate at its final stage soon, takes a significant step in strengthening the presumption to bail, but that presumption needs to be underpinned not only by

adequate services but by a change in attitude—a growth in empathy, understanding and evidence-based decision making.

Of course, we must also work across Government departments, across all levels of the public sector and with third sector partners and community organisations to reduce the number of women who are charged with offences in the first place. As ever, prevention is so much better than treatment. For as long as poverty and inequality remain the key drivers of criminal behaviour and offending, we will have an awful lot of work to do, but we must do that work. Women who are caught up in our criminal justice system—whether as defendants, as victims or as both—deserve no less.

17:46

**The Minister for Victims and Community Safety (Siobhian Brown):** I thank Katy Clark for lodging the motion and initiating this debate on women prisoners and the related issues that are raised in the motion, and I thank all members for their contributions to what has been an important debate.

The imprisonment rate in Scotland is too high, as is the proportion of people on remand—I think that all of us in the chamber can agree on that. I recognise the particular impact of the issue on women. There is no single reason why the proportion of women on remand is so high. I know that the Criminal Justice Committee—of which Ms Clark is, of course, a member—has considered the matter in some detail. There are no simple solutions. As a society, we need to consider who and what we think imprisonment should be for. Debates such as today's one are essential in informing that consideration.

The Government has been clear that, in our view, imprisonment will always be needed to protect the public, including victims, from harm. We are also clear on the importance of issues relating to women in the justice system, both as victims and in relation to offending or alleged offending. Of course, many women who are in the justice system as a result of offending have also been victims and have experienced significant trauma, adversity and abuse, as has been mentioned.

Through our vision for justice and the First Minister's policy prospectus, our strategic approach is focused on shifting the balance between the use of community disposals and prison, when appropriate, with particular focus on the needs of women who offend. Although prison will always be necessary in some cases, the reality is that a period of imprisonment often disrupts families and communities and adversely

affects health, employment and housing—the very things that we know support desistance from offending. When prison is the only suitable punishment, we will continue to invest in modernising our prison estate and supporting our prison staff.

The motion notes that HMP Cornton Vale is in the process of being replaced by HMP Stirling, which is a significant milestone that follows a period of unprecedented and sustained investment to transform and modernise the female estate so that it supports women towards a more settled path in life. The new Stirling prison will provide world-leading facilities that are designed to meet the specific needs of women by focusing on rehabilitation and reducing reoffending, and it follows the opening of two new community custody units for women in Dundee and Glasgow in the past year, as has been mentioned. The units use evidence-based design models to produce the best possible outcomes for the women and for their families and communities. HMP Stirling will deliver world-leading trauma-informed care and management for women in custody, which will give them the best possible chance of a successful return to their communities on liberation.

We are also taking a range of actions to shift the balance from the use of custody to community interventions, which, we know, are more effective at reducing reoffending. That includes legislative action. The Bail and Release from Custody (Scotland) Bill, which is currently at stage 3, intends to refocus the use of remand so that it is reserved for those who pose a risk to public safety, victim safety or, in certain circumstances, the administration of justice. For those who do not pose such a risk, bail should be the default.

The bill seeks to improve the support that is provided to those leaving prison, to help them to resettle in their communities, in recognition of that fact that that can be a vulnerable time.

**Jamie Greene:** What conversation has either the minister or the Cabinet Secretary for Justice and Home Affairs had with the Sheriffs Association? Clearly, there has been a discussion around whether remand for women has been overused—in particular, by male sheriffs—for the reason that we have mentioned: that there are no alternatives. I am keen that we understand the data that drives such an accusation, because it is quite a serious one. Will the Government undertake to have that conversation with the Sheriffs Association, as a result of what has been said today?

**The Deputy Presiding Officer:** Minister, I can give you the time back.

**Siobhian Brown:** I have not had such a conversation, and I will ask the cabinet secretary

whether she has. If she has not, I will ask that she endeavour to meet the Sheriffs Association to find out the substance of what has been said.

Legislation alone is not the answer, of course. That is why the Government continues to invest in community justice services, including alternatives to remand, against a backdrop of significant financial constraints. In 2023-24, we will invest £134 million in community justice services, including £123 million that is allocated to local authorities, with a specific investment of £3.2 million for bail assessment and bail supervision services. That is having an impact, with more local authorities establishing a bail supervision service alongside the on-going roll-out of electronically monitored bail services.

Sentencing and decisions on remand are key when it comes to any discussion about women in prison. It is important to note that such decisions are, rightly, a matter for the independent judiciary, working within the legislative framework that has been established by the Parliament.

I have mentioned the Bail and Release from Custody (Scotland) Bill, but earlier reforms such as the extension of the presumption against short sentences are also relevant. My colleague Collette Stevenson mentioned that. The evidence is that women, on average, receive shorter sentences than men, are less likely to receive a custodial sentence and are reconvicted less often.

Women also represent a minority of those who are convicted of a crime and of the prison population in Scotland, a feature that is consistent over time, and they tend to be convicted of different types of crime in comparison with men.

Women in prison in Scotland often present with a number of complex and interconnected needs, as we have discussed. Broadly speaking, they disproportionately experience physical and psychological problems, which are frequently exacerbated by substance abuse and are often the result of traumatic events in childhood and in adulthood. It is right that we continue to take a gender-informed and trauma-informed approach to prevent offending and support effective rehabilitation in the community and in custody.

I will comment on some of the contributions to the debate. Katy Clark and Pauline McNeill mentioned the community custody units. The Scottish Prison Service is actively considering ways in which it could change the criteria for admission to those, to maximise the benefit for women. A formal evaluation is currently under way, and I will ensure that the members are updated on that.

Rona Mackay, Collette Stevenson and Jamie Greene mentioned women who had been traumatised through head injuries and adverse

childhood experiences. The Scottish Government takes seriously the responsibility of ensuring that those who go through the criminal justice system with mental health issues are appropriately supported, treated and cared for, while ensuring that their rights are maintained.

I offer the assurance that the Government is committed to addressing the challenges in respect of women in our prisons. I point to the progress that we have made, while acknowledging that there is more still to be done and that that will take time and political consensus. I look forward to working with members to deliver the changes that are needed.

*Meeting closed at 17:54.*



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