OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Meeting of the Parliament

Tuesday 20 January 2026

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

Tuesday 20 January 2026

CONTENTS

Scottish Parliament

Tuesday 20 January 2026

[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, and our time for reflection leader is Ian Houston, GlobalScot, writer and trustee at the Robert Burns Ellisland farm and museum.

Ian Houston: Presiding Officer, members of the Scottish Parliament, staff, family and friends, sometimes we find ourselves at the firth, where rivers meet the sea, standing at a threshold beneath the starry skies. I hope that each person listening, wherever they may be, hears this today: you matter and are of profound worth. You glisten like the River Clyde on a crisp winter morning, shimmer like the spring dew upon the Shenandoah valley, hold the elegance of a San Francisco fog in summer and glow with the hues of a Highland forest in autumn—luminous in every place.

As Michael Lloyd, the silversmith behind the extraordinary mace before us, said,

"Things that are made with passion and love are special",

and so are you—full of lustre. Like the shining mace of silver, banded with gold, the human soul is, after all, delicate and deserving of the polish of tenderness.

Ecclesiastes tells us:

"To everything there is a season, and a time to every purpose under heaven."

Seasons cross fields of thorns. A pilgrimage to growth carries us through moors of skelping wind and rain, but that journey is never—never—walked alone. Along the way, we rediscover the resilient magic within us: the rowan tree-like spirit.

"Faith is taking the first step, even when you don't see the whole staircase,"

said Dr Martin Luther King Jr, whose birthday we honour this week. After his passing, Coretta Scott King lived those words—walking forward in faith, carrying the dream through loss.

We need one another to rise, to nurture the lilac heather that graces each of our souls. At the gem of Ellisland farm, near Dumfries, Robert Burns composed the classic "Auld Lang Syne". However, let us also remember Jean Armour Burns, who was steadfast and encouraging. A simple "well done" from Jean was a cup of kindness and validation that carried Rabbie onward.

Embrace the stanza of seasons. Carry your silver and gold—the sheen of your innate worth—and the purpose that calls each of us through the firth and onward to the call of the sea.

Together—as Scots, as a woodland of good will across the glens of the world and as voices in the parliament of humanity—wherever our branches stretch and thistles intertwine, that patch of earth is stronger, wiser and more peaceful. Leaving a bothy cleaner than when it was found is more than etiquette; it is dùthchas—respect for the soul of our heritage. So, with all our shine, let us be mindful stewards of our gift of time, for auld lang syne.

The Presiding Officer: Thank you.

Business Motion

14:05

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-20495, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on changes to business. Any member who wishes to speak to the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 20 January 2026—

delete

9.00 pm	Decision Time
followed by	Members' Business

and insert

9.05 pm	Decision Time

(b) Thursday 22 January 2026—

after

5.00 pm	Decision Time

insert

followed by	Members' Business—[*Graeme Dey*].

14:05

Douglas Ross (Highlands and Islands) (Con): I wonder whether the Minister for Parliamentary Business and Veterans will genuinely consider the point that I am about to make.

I submitted an urgent question to the Presiding Officer outwith the time limit. I will raise this in a point of order after topical questions if I have to, but we are being asked to agree a change of business today.

My urgent question was to ask Government ministers to present to Parliament the written case that they have now presented to court about the transgender prisoner policy. We became aware of that at 9.46 am, when the Government issued a press release. That left 14 minutes for members of the Scottish Parliament to know about the press release, read the press release, read the written submission and get an urgent question in. I do not think that it is physically possible to do that.

To save me from having to make a point of order to ask for a suspension of standing orders, would the minister consider an addition to the business motion to allow a statement from Government ministers on the issue, given that it was of considerable cross-party importance at First Minister's question time last week, when John Swinney himself said that it was right that all the information was in the public domain? Surely, therefore, it is also right for ministers to raise the issue.

I hope that the Minister for Parliamentary Business and Veterans could perhaps consider that we should have a ministerial statement on the issue today.

14:06

The Minister for Parliamentary Business and Veterans (Graeme Dey): I understand the interest in the subject, but today's business has been agreed by the Parliamentary Bureau and we will sit until 9 o'clock this evening. I point out to Mr Ross that there are other means through which to request a statement or an urgent question, or whatever he sees fit to pursue.

Motion agreed to.

Topical Question Time

14:06

Queen Elizabeth University Hospital (Patient Infections)

1. **Sandesh Gulhane (Glasgow) (Con):** To ask the Scottish Government what its response is to NHS Greater Glasgow and Clyde's admission of a likely link between issues with the water supply at Queen Elizabeth university hospital and patient infections. (S6T-02845)

The Cabinet Secretary for Health and Social Care (Neil Gray): First, I offer my deepest condolences to all the families who have loved ones who are affected by the issues that we are discussing today relating to the hospital's inquiry. Ministers take seriously all concerns about patient safety and patient care. That is why we established a statutory public inquiry to investigate in detail all matters relating to those cases of infection and to provide patients and families with the answers to their questions and concerns.

The closing statements from core participants were published by the inquiry on Friday 16 January. The contents of those statements will now be considered as part of the final inquiry hearings this week, so it would be inappropriate to comment further on the proceedings at this stage. We look forward to Lord Brodie's final report and recommendations, which will be forthcoming in due course.

Sandesh Gulhane: I declare an interest as I am a practising national health service general practitioner.

The unforgivable cover-up of infected water that led to the unnecessary deaths of cancer patients, including two children, is the most appalling and disgusting hospital scandal to engulf our health service. After more than a decade of denial, we have had to drag the health secretary here today after NHS Greater Glasgow and Clyde admitted at the 11th hour, in the most sleekit way, that the water system at the Queen Elizabeth hospital caused infections in cancer patients. Victims include Gail Armstrong, Molly Cuddihy and 10-year-old Milly Main, whose mother said last week that she had been fighting for answers for six years.

As early as 2015, multiple hospital inspections exposed the fact that water at the hospital was not safe and that there was a high risk of subsequent infection. NHS Greater Glasgow and Clyde has spent years covering that up, silencing whistleblowers, gaslighting families and betraying the trust of patients. The calculated attempts at hiding the truth have denied the victims' families closure.

How many more times must we say, "Never again", before this culture of secrecy and cover-up ends? What is the health secretary doing to hold past and present senior management at NHS Greater Glasgow and Clyde to account for their lies, failures and dereliction of duty?

Neil Gray: On the question of transparency, I note that the Government brought forward the public inquiry so that families—some of whom I have met, and to whom I pay tribute for their work and their diligence following the trauma that they have undoubtedly experienced—can get answers to the questions that they are posing, as Dr Gulhane sets out. It is because we have instigated a public inquiry that, I believe, we are getting to the truth.

It is important that we allow the public inquiry the space to consider its final conclusions, so that the final report can be considered before we determine any final considerations. I am duty bound as a minister to do that—there are strict rules about seeking to influence, commenting on or pre-empting public inquiries—and it would be best for the Parliament to do likewise.

Sandesh Gulhane: The issues with the water supply have not been solved. A whistleblower told me today that the pressure is so bad that dishwashers have been out of action for months, and taps stop running water monthly. It is time for honesty, transparency and accountability—and it should not have taken a public inquiry to get here.

For more than a decade, successive Scottish National Party health secretaries have presided over a culture of secrecy and cover-up at the expense of patients. SNP ministers must take responsibility for this scandal. They have refused to intervene or to hold senior management responsible, despite mounting evidence and patients demanding the truth.

Nicola Sturgeon opened the hospital, Shona Robison was health secretary at the time of Milly Main's death, and John Swinney served in senior positions throughout. For the sake of the victims, will the Scottish Government make clear who knew what and when? Will the Cabinet Secretary for Health and Social Care commit today to saying that anyone who was involved in a cover-up, even if they were senior Government ministers, will face justice, including for corporate homicide?

Neil Gray: Those issues are currently under the live consideration of a public inquiry and an investigation by the Crown. It would be completely inappropriate for me to comment on or pre-empt those investigations.

We take the issues of transparency and patient safety extremely seriously. That is why we instigated the statutory independent public inquiry that Lord Brodie presides over. As at all hospital sites, there is a comprehensive system of clinical oversight and patient safety monitoring at the Queen Elizabeth university hospital. No information has been reported through our robust governance arrangements that questions the hospital's safety. While the inquiry continues, NHS Greater Glasgow and Clyde is required to ensure that its hospitals remain safe for patients, and it will continue to closely monitor a range of data and quality indicators to demonstrate that.

I add to that the work that has been done to establish the Patient Safety Commissioner for Scotland—that is Karen Titchener, who I have had the pleasure to meet and with whom I now meet routinely—which underlines the Government's commitment to patient safety and transparency for those who are impacted by these issues.

Jackie Baillie (Dumbarton) (Lab): It is right to remind members that, when the Queen Elizabeth university hospital opened in 2015, Nicola Sturgeon was the First Minister, Shona Robison was the health secretary and John Swinney was the finance minister. Their fingerprints are all over this. We need to know what they knew, when they knew it and exactly who pressured the health board to open the hospital before it was safe, causing the death of children.

We know that the SNP cares only about announcements, rather than delivery. We have experienced the ferry with painted-on windows that has yet to sail, and now a hospital that ministers pushed to open when it was not safe to do so. Who does the cabinet secretary believe is responsible for the deaths of children at the Queen Elizabeth university hospital?

Neil Gray: Those matters are subject to live public inquiry and live Crown Office investigations. It would be completely inappropriate for ministers to comment on or narrate what is going on around those issues. Jackie Baillie talks about keeping things secret, but it is the contrary: there are live public inquiries, one of which was instigated by the Scottish Government, and the Crown investigation will clearly have to report. It would be completely inappropriate for ministers to seek to intervene or suppress those inquiries, or to do anything other than allow those processes to continue. I think that you would expect nothing less of a Government minister, Presiding Officer.

Brian Whittle (South Scotland) (Con): The issue with the water supply has been going on for a number of years, and the hospital cannot function without its water supply. What has changed to make the water supply safe, and what has been put in place to make sure that those who are in hospital remain safe?

Neil Gray: As I set out in response to the question from Mr Whittle's colleague Dr Gulhane, all hospital sites—Queen Elizabeth university hospital included—have a comprehensive system of clinical oversight and patient safety monitoring, and no information has been reported through that governance process that questions the hospital's safety. These are matters that require the attention of NHS Greater Glasgow and Clyde and all health boards in ensuring the safe and effective operation of their sites.

Stephen Kerr (Central Scotland) (Con): I draw members' attention to my entry in the register of members' interests as a director of WhistleblowersUK.

In relation to the scandal, I note that there were whistleblowers in 2017 and as early as 2015. NHS Greater Glasgow and Clyde has admitted that whistleblowers were subject to recrimination and retaliation; they were ignored and much worse besides. It is clear that there is something very wrong with the whistleblowing culture in NHS Greater Glasgow and Clyde, so I ask the cabinet secretary not to hide behind any on-going procedures and to order an immediate review of whistleblowing culture and processes in all of Scotland's NHS boards.

The Presiding Officer (Alison Johnstone): Please answer in relation to the substantive question.

Neil Gray: The issue at hand regarding the hospital's inquiry is not an issue of procedure, and there are clear rules around ministerial comment or ministers seeking to undermine or in any way influence a public inquiry. I hope that Mr Kerr understands that.

However, in general, I note that Mr Kerr and I have corresponded on the matter regularly. I have set out very clearly my expectation of the national health service's culture, speak-up culture and attention to patient safety to ensure that, when people—whether they are staff, patients or anyone else—come forward with concerns or complaints, they are treated seriously, the concerns or complaints are dealt with timeously and effectively and patient safety always comes first.

United States Tariffs

2. **Evelyn Tweed (Stirling) (SNP):** To ask the Scottish Government what assessment it has made of the potential impact of US tariffs on Scotland's economy, in light of the announcement this weekend of President Trump's decision to impose new tariffs on the UK. (S6T-02839)

The Deputy First Minister and Cabinet Secretary for Economy and Gaelic (Kate Forbes): We are deeply concerned about the President of the United States' proposed use of tariffs to change Greenland's future. Greenland's future should be decided by the people of Greenland, and threats of tariffs should not be a bargaining chip in place of reasonable dialogue between international partners.

Any US tariff increase on the United Kingdom will be a concern for Scottish exporters, but, so far, the legal texts that would be necessary for the US Administration to implement such a policy have not been issued. Therefore, it is not possible to assess the precise economic impact. Needless to say, any further tariffs would be deeply damaging for jobs and economic growth across Scotland, given that the whisky industry has already reported the loss of 1,000 jobs last year. We will continue to engage with key partners on the issue.

Evelyn Tweed: The US is Scotland's largest export market, and many businesses will be concerned by this move by Washington. Will the Deputy First Minister set out what steps the Scottish Government is taking to ensure that Scottish businesses can identify new markets and can thrive in spite of the punitive tariffs?

Kate Forbes: Evelyn Tweed is absolutely right to highlight how critical the US is for Scotland as an export market. International trade is crucial to our economic growth and resilience. We will continue to promote the export growth of Scottish businesses in both current and emerging markets in response to the increasing global uncertainty.

There are a number of examples of how we are building trading relations around the world, including through our participation in the Osaka expo in 2025, which opened new opportunities for businesses in Japan. Later this month, the second Scotland week to be held in the United Arab Emirates will further boost trade and investment ties. Plans for increasing our engagement with India are advancing well, too. We have also approved and financed 19 trade missions led by chambers of commerce through our international trade partnership programme.

Evelyn Tweed: European leaders have stated their full support for Greenland and for the Kingdom of Denmark. The Presidents of the European Council and the European Commission have warned that tariffs would undermine transatlantic relations and risk creating a dangerous downward spiral. Does the Scottish Government support their calls for international law to be upheld, for NATO allies to respect the sovereignty of its member states and for the future of Greenland to be decided solely by the people of Greenland and the Kingdom of Denmark?

Kate Forbes: Tariff increases by the US would be a real concern for Scottish exporters, and well-established sources are detailing those concerns right now. I welcome Greenland's clear statement of its right to self-determination and the endorsement of that by European leaders and by the UK Government. Decisions concerning Greenland can be made only by the people of Greenland, and we are clear that all nations must abide by the international rules-based system.

Mercedes Villalba (North East Scotland) (Lab): According to research from the Common Wealth think tank, Scotland has one of the most foreign-owned economies in Europe. Dependence on overseas direct investment not only bleeds Scotland of the wealth required to fund our public services but pressures Scottish politicians, such as our First Minister, to appease foreign capital by lowering taxes, weakening workers' rights and eroding environmental standards. Such reliance leaves Scotland vulnerable to dramatic geopolitical change, such as Trump's latest tariffs. Given that threat, does the Deputy First Minister agree that what Scotland needs is not further private foreign ownership but a strong domestic industrial strategy?

Kate Forbes: I reject much of that characterisation of the Scottish economy, and I certainly reject any suggestion that the First Minister is under any pressure but that from the voters who have democratically elected the Scottish Government to ensure that Scotland's economy is growing and prosperous and that we are able to support workers across the country.

The initial question was all about exports, which is the direct polar opposite to a question about foreign direct investment. We have made clear that we are supporting Scottish exporters. We are an island nation and are reliant on ensuring that the goods and services that are produced to such a high standard here in Scotland reach markets across the world. Those markets include not only North America but the European Union, and this Government continues to back a return to the common market.

Murdo Fraser (Mid Scotland and Fife) (Con): I remind members of my entry in the register of members' interests in relation to hospitality that I have received from the Scotch Whisky Association. That association warns that the impact of tariffs has already cost more than 1,000 jobs in Scotland and is costing the industry £20 million a month and that further tariffs would be devastating for the Scottish economy. Just a couple of months ago, the First Minister went to Washington to meet President Trump and came away feeling very optimistic. What has happened to that optimism? Is there anything that the First Minister can do to reach out to President Trump

and build on that warm relationship to try to get that threat removed? What can the Scottish Government do with its budget to support industries here that might be impacted by tariffs?

Kate Forbes: I will begin by answering the first part of that question. It was with the support of the Scotch Whisky Association that the First Minister made as much progress as he did in his direct engagement with the President.

Murdo Fraser will appreciate that the work to secure an agreement and to nail down that progress is an issue for the UK Government. I think that the First Minister did an admirable job in highlighting the issues, particularly those concerning reciprocal damage. The issue is not only about economic damage to and job losses in the whisky industry, which I outlined in my first answer, but about the damage that is replicated in the United States because of the reciprocal relationship with the bourbon industry.

Regarding the progress that we will now make, the member will appreciate that the First Minister is looking for any and all opportunities and has used such opportunities to make the case for whisky, and will continue doing so, but we are in extremely unprecedented and unstable times.

The Presiding Officer: Members will appreciate the time. I would be grateful for concise questions and responses.

Patrick Harvie (Glasgow) (Green): This goes far beyond export interests. The latest economic threat from Trump follows on from his attacks on the sovereignty of Greenland, his unilateral military action against Venezuela, his support for genocide in Palestine, his attempts to wreck international climate efforts and the brutal violence of his regime against his own citizens. Surely it is clear that democratic countries can no longer treat this lawless US President as a security partner.

Does the Government agree that, in that context, a formal visit by the UK's head of state would only feed Trump's ego and would continue a failed policy of appeasement against this extremist, and that the visit should be cancelled?

The Presiding Officer: Please answer on the substantive question, Deputy First Minister.

Kate Forbes: The First Minister has been very robust over the weekend in particular, and he was robust again last night in expressing very clearly his view that the future of Greenland is for the people of Greenland to determine. The First Minister's primary interest is in respecting the rule-based international system and protecting Scottish interests.

In relation to the first question that I was asked, which was largely about export, this is about how to protect Scottish jobs and interests and how to protect communities across Scotland who are at risk right now.

Jamie Greene (West Scotland) (LD): The way to beat economic bullying is to make trade easier. With the threat of tariffs looming, Scotland, the UK and the EU must unite in their stance against US protectionism. On a practical level, will the Scottish Government join the Scottish Liberal Democrats in calling on the UK Government to implement an immediate cut of 5 per cent to whisky duty to show that we stand behind our whisky industry and to show President Trump that free trade will always trump isolationism?

Kate Forbes: I confirm to the member that, in previous budgets, we have been very robust in representing the Scottish whisky industry and calling for fair duty and excise. That is on the record, and that goes back a few years, when letters in my name were drafted to the UK Government expressing that position.

We feel that it is particularly important to support the industry right now as it is seeing a massive impact from the tariffs, with significant job losses and economic damage on a weekly basis. The figures are quite clear, and now is the time to support our domestic production of whisky because of those international risks.

Grooming Gangs

3. **Liam Kerr (North East Scotland) (Con):** To ask the Scottish Government what its response is to reports that grooming gangs are targeting children living in residential care homes in Scotland. (S6T-02850)

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Sexual abuse and exploitation of children are abhorrent crimes with devastating impacts on victims and their families. The first part of the independent national review that I announced last month will focus on rigorous, detailed scrutiny of local authorities' assessments of the threat and risk of group-based child sexual abuse and exploitation.

The review, which will be undertaken by the four independent inspectorates, will assess local areas' understanding of and response to known risk factors, including children who regularly go missing from home or care. If any harm or risk is identified during the review, it will be escalated immediately through the appropriate channels, including to Police Scotland as required, and will be acted on. I intend to update Parliament more fully on that work in February.

Liam Kerr: The sinister revelation that grooming gangs are putting mobile phones into residential care homes exposes once again how much remains unknown and how sophisticated these vile predators actually are. Whereas a full inquiry

would shine a light on all the dark corners of this nefarious, vicious practice, this Government contents itself with an ill-defined review. In the light of the latest revelations, surely the cabinet secretary now concedes that what is needed is not a review but the full inquiry that everyone is demanding.

Jenny Gilruth: I thank Mr Kerr for his question and his on-going interest in and pursuit of these matters. I was very pleased that he attended the cross-party meeting that I held last week with the Cabinet Secretary for Justice and Home Affairs, in which we heard an update from Professor Alexis Jay, Police Scotland and the four independent inspectorates that will be leading the work.

I want to be clear again today that the Government is not ruling out further inquiries. I made that substantive point in my statement to Parliament in December. However, there is a need for an evidence base, and that is exactly why the inspectorates are taking the work forward appropriately. To that end, as I intimated in my first answer, I will update Parliament further in February.

Liam Kerr: I think that the cabinet secretary's response will disappoint so many.

She listed, and places great reliance on, those in the field. Last September's initial report of a national child sexual abuse and exploitation sub-group

"found little evidence that training in Scotland adequately equips professionals with the skills needed to respond ... current practice often relies on children verbally disclosing their abuse before decisive protective action is taken".

What meaningful, substantive action has the Government taken to protect Scotland's children in the months since its own experts gave it that warning? If something was done, why has it not worked?

Jenny Gilruth: I thank Mr Kerr for raising that substantively important matter. I am also mindful that, every time we discuss these topics, victims of child sexual abuse might be listening, and it is important that we discuss the issues in a sympathetic and appropriate manner that is reflective of victims' trauma. I am mindful of that, particularly in my own role.

Children disclose or report allegations in relation to child sexual abuse in a range of ways. Given my experience as a teacher, I know how that works in a school. However, four different independent inspectorates will be looking in clearer detail at the ways in which that works within their relevant responsibilities.

I want to come back to Parliament with a fuller update on the substantive point that the member raises, which is hugely important. I have been clear throughout my time in Government, in responding on the Government's approach to this issue, that we need to hear from victims of child sexual abuse in order to ensure that we can learn from their experiences, improve our response and eradicate that type of behaviour in our society.

Given the importance of the issue, it is important that we work on it on a cross-party basis, and that is exactly the approach that I will continue to take. At the meeting that we had last week, which included Mr Kerr, I suggested that we have a fuller update for MSPs in March that will allow for a consistent flow of information to members on the Government's work on the topic. I will be able to share more with members on that in my statement in February, and then again in March, before Parliament dissolves.

Paul McLennan (East Lothian) (SNP): All sexual abuse and exploitation of children is horrific, and it is important that we treat the issue sensitively when we discuss it.

Can the cabinet secretary set out more detail of what the national review will involve? What more can she say about the evidence and information that it will collate and what will happen when it is received?

Jenny Gilruth: I want to be absolutely clear that the four inspectorates that are leading the national review are independent of Government. They will show no fear or favour in the work that they have been instructed to undertake urgently and at pace, and, crucially, they have powers to compel public authorities to provide the information that they request. Those powers will be critical to the success of the review. Public agencies will not be able to refuse to co-operate, and the inspectorates will help to obtain the evidence that is needed to inform future decisions and investigations.

Once the independent national review is complete, the national child sexual abuse and exploitation strategic group, which is independently chaired by Professor Alexis Jay, will consider the findings and provide expert advice to ministers regarding our next steps.

As I set out previously, if any harm or risk is identified during that process, that matter will be escalated, including to Police Scotland, as appropriate.

Pauline McNeill (Glasgow) (Lab): There is a lot of interest in this sensitive issue. I believe that Scotland had not up till now addressed the need to interrogate the data to assess the scale of the problem. Given that it could take months or years to do such an assessment and we have not—I think—been given a timescale for it, and given that we already know that children in the care system are at the highest risk, I ask the cabinet secretary to elaborate on the immediate actions that the

Government will take to identify and protect the children who are most at risk. If there is any validity to the reports that Liam Kerr refers to, there is a need for urgency, and we cannot wait to protect children.

Jenny Gilruth: It would be inappropriate for me to comment on those reports themselves. Of course, I have read the press article in question, and those points have been put to my officials. However, any criminal activity would be a matter for Police Scotland to investigate.

In relation to timescales, I set out in my previous answer that I will come back to Parliament in the coming weeks, in February, to give a fuller update. At the meeting that Ms McNeill and other MSPs attended last week, a range of different agencies set out some of their work on next steps in relation to their responsibilities, and I have committed to provide a further update for MSPs in March. There is a range of different points in relation to the timescales that we are currently working on, but I hope to say more on the detail on next steps in the statement to Parliament in the coming weeks.

Sharon Dowey (South Scotland) (Con): The serious organised crime task force has acknowledged that the scale of child sexual abuse and exploitation is hidden and underreported and that national monitoring is weak. Given that the Government admits that it does not know the true scale of the abuse, what specific evidential threshold from the national review does the cabinet secretary need to establish a full national inquiry into grooming gangs in Scotland?

The Presiding Officer: I note that we have only been able to engage with Ms Dowey's audio. We will certainly look into that issue, but I would be grateful if the cabinet secretary could respond to the question.

Jenny Gilruth: The first part of Ms Dowey's question related to the way that we record and report the crimes that we have discussed today. We should also reflect on the power imbalance that often exists in relation to child sexual exploitation, which is also a causal factor in underreporting. I do not want to prejudge the outcome of the review, but as I have set out today, I will give Ms Dowey and MSPs a fuller update in February, when I have received an update from the agencies on their progress in relation to their statutory responsibilities and the review that I announced in December.

The Presiding Officer: That concludes topical questions.

Point of Order

14:36

Douglas Ross (Highlands and Islands) (Con): On a point of order, Presiding Officer. I seek a ruling from you on standing orders rule 17.2.1(a), on suspending rule 13.8.1.

Rule 13.8.1 relates to the lodging of urgent questions and states that they must be lodged by 10 am on the day that they are to be taken. If we can agree to suspend standing orders to vary the time—the time only—in rule 13.8.1, I can resubmit my urgent question for you to consider on whether ministers should be brought to the Parliament today to speak about the Scottish Government's written case that has now been presented in the judicial review petitioned for by For Women Scotland on the Scottish Prison Service's transgender prisoner policy.

Two weeks ago, you rightly said during First Minister's questions that the Parliament should not be "a library"—I agree with that—but the Parliament should also be a Parliament. Surely, on an issue of importance such as this, on which there have been cross-party questions to the Government, we should act as a Parliament and hear from ministers on the same day that the information is made public.

I also note that, in response to my asking a question on this topic last week, the First Minister said:

> "The Government is trying to make information available to ensure that members of the public ... can follow the case in a well-informed way."—[*Official Report*, 15 January 2026; c 20.]

We will be able to follow the case in a well-informed way by questioning ministers.

As I said to the Minister for Parliamentary Business and Veterans, the information came out in a Government press release at 9.46 am. There was no Government-initiated question to alert every MSP to it, and to the best of my knowledge, there was no offer from the Government for a minister to make a statement. Therefore, our only recourse, as Opposition parties and back-bench MSPs, is through an urgent question.

I fully accept that, when I lodged my urgent question, it was beyond the time limit, but there are compelling reasons for the issue to be debated today in the Parliament, through ministers answering questions. Therefore, I seek your guidance on how I can move a motion under rule 17.2.1(a) to suspend rule 13.8.1 to allow an urgent question to be considered today.

The Presiding Officer (Alison Johnstone): Thank you, Mr Ross, and I appreciate advance

notice of your intention to raise the matter. I am not minded today to accept a motion without notice. I think that my determination to ensure that all members have an opportunity to scrutinise the Government fully and regularly, whether that be through urgent questions or the selection of other questions, is very clear to the Parliament. I remind Mr Ross of the other opportunities that exist, and which are available to him this week.

Business Motion

14:38

The Presiding Officer (Alison Johnstone): The next item of business is consideration of business motion S6M-20486, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, setting out a timetable for stage 3 consideration of the Tertiary Education and Training (Funding and Governance) (Scotland) Bill.

Motion moved,

That the Parliament agrees that, during stage 3 of the Tertiary Education and Training (Funding and Governance) (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended or otherwise not in progress:

Groups 1 to 3: 1 hour

Groups 4 to 7: 1 hour 45 minutes

Groups 8 and 9: 3 hours

Groups 10 to 12: 4 hours 10 minutes

Groups 13 to 15: 5 hours 25 minutes.—[*Graeme Dey*]

Motion agreed to.

Tertiary Education and Training (Funding and Governance) (Scotland) Bill: Stage 3

14:39

The Presiding Officer (Alison Johnstone): The next item of business is stage 3 proceedings on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 57A—the marshalled list and the groupings of amendments.

The division bell will sound and proceedings will be suspended for around five minutes if there is a division. The period of voting for the division will be 30 seconds. Members who wish to speak in the debate on an amendment should press their request-to-speak button or enter RTS in the chat function as soon as an amendment is called.

Members should now refer to the marshalled list of amendments.

Before section 1

The Presiding Officer: Group 1 is on a national funding strategy. Amendment 10, in the name of the minister, is grouped with amendment 74.

The Minister for Higher and Further Education (Ben Macpherson): I am grateful to the Presiding Officer, all the Parliament staff and all MSP colleagues for their engagement with this bill and I am pleased to open this afternoon's debate on the stage 3 amendments with an amendment that I hope a lot of members in this chamber will welcome and be interested in. The amendment gives effect to the commitment that I gave at stage 2 to consider further what, if anything, the Government could introduce in response to Pam Duncan-Glancy's amendments 38 and 39 at stage 2.

My amendment 10 will require the Scottish ministers to create and maintain a national funding strategy for tertiary education, skills and apprenticeships in Scotland. The strategy will establish a foundation for our tertiary education and skills system to ensure that funding decisions are based on an even more robust understanding of the skills needs in Scotland, not only at the national level but across Scotland's diverse local and regional contexts, which I know a number of members are—quite rightly—interested in, as is the Government.

Under amendment 10, the national funding strategy will have to explain Scotland's skills needs and set out the Scottish ministers' priorities for funding for further and higher education, national training programmes, apprenticeships and work-based learning. Additionally, the strategy will set out the outcomes that the Scottish ministers intend to achieve through that investment. For clarity, for universities, it will not direct funding towards provision specifically, as universities are autonomous bodies. I believe that amendment 10 will, overall, create a coherent strategic direction for Scotland that is better aligned with the skills needs that we have.

The Scottish ministers will be required to publish and update the strategy and, of course, lay it before Parliament. Publishing ministerial priorities and intended outcomes aids transparency and ensures that Parliament, stakeholders and the public can—rightly—scrutinise the Government's policy direction on skills and the progress that it achieves. The requirement to report regularly will reinforce that.

Crucially, the preparation and revision of the strategy will be informed by meaningful consultation with a wide range of relevant stakeholders, including employers, trade unions and the bodies delivering education and skills training. The amendment does not set out an exhaustive list—for example, it is important, and it is my intention, that organisations and groups representing students and apprentices, and those with disabilities, will be included among those consulted, so that their important and specific needs are provided for in any funding strategy.

By ensuring that the strategy is rooted in evidence and shaped through collaboration and engagement, with clearly specified outcomes, amendment 10 strengthens the Government's approach—and, therefore, the nation's approach—to skills planning and to the funding of the tertiary education and skills system.

An important outcome, which we want to track and report on, is improved access to education and training opportunities for people with disabilities and other disadvantaged groups. I know that that is of particular interest to my colleague Jeremy Balfour.

Miles Briggs (Lothian) (Con): The Conservative members are supportive of amendment 10, but I want to ask the minister whether it is the Scottish Government's vision that it will make colleges lead delivery providers for modern apprenticeships under the bill, with a minimum percentage of apprenticeships delivered through colleges as part of the "college first" principle that I tried to progress at stage 2.

Ben Macpherson: The importance of colleges in the delivery of apprenticeships, as Mr Briggs rightly emphasises, should not be underestimated. We want our colleges to take the lead, but important roles are occupied in the current system

by training providers. We want to enhance the system overall, and the role of colleges in the delivery of our apprenticeship system will continue to progress and become more important in the years ahead.

I hope that members will support amendment 10, particularly given the points that were made at stage 2.

14:45

Willie Rennie (North East Fife) (LD): The minister will know that Universities Scotland has expressed concern about the national funding strategy. It feels that the strategy risks encroaching on the Office for National Statistics classification and the independent status of universities. That has been a sensitive issue, particularly with regard to the University of Dundee and the use of powers under section 25 of the Further and Higher Education (Scotland) Act 2005. What will the minister say to assure Universities Scotland that that is not what he and the Government intend?

Ben Macpherson: I thank Willie Rennie for raising that important point and for the engagement that I have had with him on this matter, and I thank Universities Scotland for its engagement in advance of these stage 3 proceedings. I refer back to the point that I made a moment ago, in which I sought to emphasise that the strategy will not direct funding towards specific provision in universities, because they are autonomous bodies. In preparing the strategy, the Government will be meticulously careful in setting out what it will mean for universities, in order to make sure that there is no encroachment on their autonomy and that their existing status is protected and preserved.

Pam Duncan-Glancy (Glasgow) (Lab): Is the minister in a position to set out when the Government will publish the responses to the consultation that it recently carried out on support for part-time study and disabled students, which closed on 9 October?

Ben Macpherson: I thank Pam Duncan-Glancy for raising that point and highlighting that important consultation. I will take that away as an action and update her and the Parliament more widely on progress relating to the findings of the consultation, when the responses will be published and when the Parliament and the public will be able to see the outcomes.

As I said, I hope that members will support amendment 10, particularly given some of the points that were made at stage 2 about ensuring that we collectively take a strategic approach and that we consider the short, medium and long-term interests of the economy and the skills that we will require. Amendment 10 will further ensure that decisions about funding Scotland's tertiary education and skills system are shaped by evidence, informed by stakeholders and responsive to the needs of learners, employers and communities across Scotland.

Amendment 74 will make a consequential change to the bill's long title to add a reference to the strategy.

I urge members to support my amendments in group 1.

I move amendment 10.

Daniel Johnson (Edinburgh Southern) (Lab): I thank the minister for his constructive engagement on the strategy; we had several interesting conversations about its critical nature. I emphasise that, although I welcome amendment 10 and although Labour will support it, there is an issue that is necessary to address. It is interesting that people have so many questions, because the fundamental issue with the bill is that no such strategy currently exists. The problem with the approach that has been taken towards the bill is that, without the strategy, we cannot be clear about whether the structure is right. It will always be problematic to have a structure before we are clear about the strategy.

I am grateful for amendment 10. Although I appreciate that a version of it was offered as a handout amendment, we could not take that because of the inherent flaw in the Government's approach. When the minister winds up, I ask him to acknowledge that we are 10 years on from the enterprise and skills review. At the heart of the issues that Audit Scotland found was a lack of strategic direction and clarity about how systems should work together.

Martin Whitfield (South Scotland) (Lab): Will the member take an intervention?

Daniel Johnson: I am happy to do so.

Martin Whitfield: I am grateful to Daniel Johnson for taking the intervention and I apologise for being unable to intervene on the minister.

Are we not confronted today with the fact that we are designing an answer before we even know what the question is?

Daniel Johnson: Indeed, and I believe that the member has provided me with an answer—that is exactly the issue that we have. This strategy might be the right solution or structural reform, but we do not know. We do not understand the Government's vision or intent or how it will deal with things such as flexibility, upskilling, reskilling, digital passports and regionalisation—many of the strategic aspects that were identified by Withers and highlighted in the many reports. Yes, the

strategy will help, but I believe that it exposes the fundamental flaw in the Government's approach.

Ben Macpherson: I thank members for their contributions. By way of response to what has just been said, I emphasise that the strategic work that will be taken forward through amendment 10, together with amendment 74, has already been happening within the Scottish Government. There will be more to say about that in the months ahead.

The commissioning of the Withers report was part of building that strategic approach and, today, in the legislation that is before Parliament, we seek to advance much of what the Withers report advocated for, particularly with regard to moving funding for apprenticeships into the remit of the Scottish Funding Council and putting apprenticeships on a statutory footing.

It is not fair to say that there has not been a strategic approach, that we have not been undertaking consultation and responding to it, or that our approach has not been evidence led. However, I appreciate members' engagement on this issue. Through the deliberations between stage 2 and today, I have sought to listen to colleagues so that we can come together on a position that helps us to move forward as a nation. I am glad to hear that there is support for amendment 10 and, if Parliament passes the bill, I will look forward to the strategy being an important aspect for Government and for business, in order to make sure that we progress together in the right way.

Amendment 10 agreed to.

Section 2—General duty of the Scottish Ministers to support delivery

The Presiding Officer: We move to group 2, which is on the general duty of the Scottish ministers to support delivery. Amendment 75, in the name of Miles Briggs, is grouped with amendment 11. I call Miles Briggs to move amendment 75 and speak to both amendments in the group.

Miles Briggs: I start by thanking the Parliament's legislative team for its support—to be quite honest, the team could also do with some more apprentices, given the amount of legislation that is going through Parliament. I also pay tribute to and thank our stakeholders, who have provided a lot of support during the passage of the bill on its way to stage 3.

Throughout the passage of the bill, Scottish Conservatives have worked to strengthen and embed the voice of industry in the development of Scotland's skills strategy and the development of qualifications for apprenticeships.

In line with that approach, my amendment 75 would maintain

"an independent industry-led board to lead the oversight of the design, development, approval and delivery processes of Scottish apprenticeships".

That is important, and we tried to safeguard and progress that at stage 2.

I welcome Willie Rennie's amendment, which we will discuss later, to create a sub-committee of the apprenticeship committee, but, alongside many industry leaders, I continue to have concerns that the bill as it stands—and the changes that it will bring to the apprenticeship delivery environment in Scotland—could see the voice of industry in developing apprenticeships lost in translation.

An Organisation for Economic Co-operation and Development report from 2024 advocates for a statutory framework for employer involvement in apprenticeships, citing a range of international best practice in that regard. It specifically recommends establishing that statutory framework for employers in order to enable them to retain authority with regard to overseeing apprenticeship delivery and developing and approving frameworks, and to ensure that there is a legal obligation for them to be consulted with regard to commissioning decisions. I believe that that should be the approach in Scotland.

I also welcome amendment 11, in the name of my colleague Stephen Kerr.

I move amendment 75.

Stephen Kerr (Central Scotland) (Con): The minister is to be commended for getting this bill to stage 3, because, frankly, he inherited a guddle and is having to work his way through it. Trying to make something worth while out of this is very difficult, as Miles Briggs has alluded to this afternoon and on other occasions.

My amendment 11 is very basic, but it concerns a basic thing that is all too often missing from how Government approaches education and skills policy in Scotland, and that is outcomes. Amendment 11 would simply require that, in exercising their functions under the legislation, ministers must have regard to what public expenditure is actually achieving—a breakthrough moment! They would also have to

"ensure that funding supports measurable improvements in skills, productivity and learner achievement."

It concerns not intentions, strategies or process, but actual outcomes. That matters, because, while Scotland already spends substantial sums across further education, higher education, apprenticeships and national training programmes, employers repeatedly tell us that the spend and the impact are drifting apart.

Productivity growth in Scotland has lagged behind the United Kingdom average for more than a decade. Skills shortages remain acute in engineering, construction, digital technology, life sciences and advanced manufacturing, and too many young people still struggle to see a clear, credible route from education into sustained employment.

The bill talks a great deal about duties, structures and governance. What it does not do is anchor ministerial decision making in whether those structures are actually delivering skills that the economy needs. Amendment 11 would close that gap.

That is not ideological. Colleges Scotland has made it clear that colleges already deliver strong value for money and contribute directly to productivity and learner outcomes. The organisation supports the amendment, precisely because it reflects what good providers already do when they focus on results, not rhetoric.

The same point is made in the Scottish Parliament information centre's analysis ahead of stage 3, which highlights the importance of aligning the expanded remit of the Scottish Funding Council with economic need, not simply administrative consolidation.

Amendment 11 is about discipline and realism. Public money should work harder. If we are serious about ensuring parity of esteem between academic and vocational pathways, we must be serious about measuring whether funding is raising skill levels, improving completion rates and supporting progression into work, including through apprenticeships and graduate apprenticeships.

Graduate apprenticeships, or degree apprenticeships—I prefer the latter term because I think that it is a better description of what they are—are a good example. Where they work well, they deliver degree-level skills aligned directly with employer demand, with high completion and employment rates. However, uptake remains patchy and expansion has been inconsistent. Amendment 11 would give ministers a clear statutory prompt to ask whether their funding decisions are actually scaling what works.

I do not think that that should trouble the Government. If ministers are confident that the system that they are building will raise standards, boost productivity and properly equip Scotland's future workforce, they should see writing that expectation into law as entirely reasonable—and, if I may say so, the minister who is guiding the bill is a very reasonable fellow, on a good day.

Members: Oh!

Stephen Kerr: That was a compliment, Presiding Officer—I do not know how I can reach higher on compliments than to say that the minister is reasonable.

My amendment would not tie ministers' hands. It does not prescribe targets or privilege one route over another. It simply asks ministers to look squarely at outcomes and to fund what delivers them. That is sensible and sober, and it is exactly the mindset that we need if the bill is to be about economic growth, opportunity and raising standards, rather than just a rearrangement of the system.

15:00

Ben Macpherson: I thank colleagues for explaining their amendments. The two amendments in this group revisit proposals that were previously brought forward at stage 2, and which the Education, Children and Young People Committee resisted at that juncture.

Amendment 75, from Miles Briggs, is similar to an amendment that was lodged by Willie Rennie at stage 2, concerning an industry-led board to oversee apprenticeships. Amendment 75 would effectively reinstate the Scottish Apprenticeship Advisory Board—otherwise known as SAAB. I put on record the great work that SAAB has done for many years. I am grateful for the engagement that I have had with it since my appointment, on the bill and other matters.

However, the bill already establishes an apprenticeship committee within the Scottish Funding Council that is expected to lead on some of the responsibilities of SAAB. Recreating an additional board with overlapping responsibilities would clutter the system at a time when we are trying to simplify it. It would duplicate roles and introduce unnecessary complexity without delivering added value to the system. The bill, as amended at stage 2, also formalises and strengthens the role of employers in the system.

Those changes will ensure that employers continue to be central to apprenticeship delivery, but in a way that fits coherently with the new governance arrangements, rather than creating unnecessary parallel structures.

Miles Briggs: We have not got to Willie Rennie's amendment on the issue yet, but I think that the minister is almost making the argument against it, as it would introduce another sub-committee structure. Is that not the case? What industry is concerned about is that, by being just part of a wider conversation in that sub-committee, its voice and needs could be lost in translation. That is why we think that a version of SAAB should be retained.

Ben Macpherson: We agreed to a number of amendments at stage 2 to ensure that the voice of business and industry is even more significant under the bill. Later in today's proceedings, I will urge Parliament to support amendments to give industry and business further voice in the process. On the sub-committee, that can of course be determined by the SFC, and we will come to Willie Rennie's amendment on that in due course.

If Miles Briggs is content, I turn to Stephen Kerr's amendment 11, which revisits one of his stage 2 amendments. With respect to Mr Kerr, I must say that, as I set out to the committee then, in the Government's view, the amendment is ambiguous on what constitutes

"measurable improvements in skills, productivity and learner achievement."

The appropriate mechanism for setting expectations on funding outcomes is already available through the terms and conditions of funding that ministers can impose on the SFC. That is already possible under powers in the Further and Higher Education (Scotland) Act 2005. Through amendment 10 in group 1, which we have just discussed, the new national funding strategy will require the Scottish ministers to set out the outcomes that the Government is seeking to deliver through funding tertiary education and skills training. I know that Mr Kerr supports that amendment, and I hope that he welcomes it.

For the reasons that I have set out, I ask Miles Briggs not to press amendment 75 and Stephen Kerr not to move amendment 11. If they do, I encourage colleagues to vote against the amendments.

Miles Briggs: Amendment 75 goes to the heart of some of the concerns that the Education, Children and Young People Committee has heard. Industries and businesses that are desperate for apprenticeships do not feel that the current system is delivering for them. However, their voice is not going to be specifically included. As the minister did, I pay tribute to SAAB for the work that it has done but, if that board is not fundamentally at the heart of the bill, the voice of industry and business will be lost.

Daniel Johnson: The member is right to highlight the difference between SAAB and the proposed structures. Fundamentally, SAAB is about industry representatives coming forward. The concern is that the people who make up the proposed committees and sub-committees—and, indeed, the council itself—will be picked by Government and might not provide the candid insight that is required if we are to have a system that is truly reflective of industry views. Does the member agree with that?

Miles Briggs: Yes, I agree with that. One of the missed opportunities is that the bill does not deal with regional skills shortages. On Friday, I was in Aberdeen, where I heard about not just the opportunities but the shortages that exist there. There is real concern that the bill has watered down the voice of industry. We need to strengthen it, and that is why I want to—

Stephen Kerr: Will the member give way?

Miles Briggs: Yes, I am happy to.

Stephen Kerr: Does my colleague agree that it is very confusing that ministers are refusing the opportunity to take for themselves directive powers on what outcomes will match their aspirations for Scotland's economy on issues such as improvement in skills, productivity and learner achievement? Is he as confused as I am about the minister's reluctance to include outcomes in the bill?

Miles Briggs: That has been a concern during the passage of the bill. Parliament has tried to influence the Government by getting it to focus on where industry must be a part of this, rather than treating it as an afterthought. The minister has moved on some of that—perhaps he wants to intervene.

Ben Macpherson: I ask Miles Briggs to be slightly patient, as he will be uplifted on some of those points as we get to later groups.

Miles Briggs: We will see. For now, I press amendment 75.

The Deputy Presiding Officer (Liam McArthur): The question is, that amendment 75 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

As this is the first division of stage 3 today, I will suspend the meeting for around five minutes to allow members to access the digital voting system.

15:06

Meeting suspended.

15:12

On resuming—

The Deputy Presiding Officer: We move to the vote on amendment 75. Members should cast their votes now.

The vote is closed.

Stephanie Callaghan (Uddingston and Bellshill) (SNP): On a point of order, Presiding Officer. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Callaghan. I will ensure that that vote is recorded.

Kenneth Gibson (Cunninghame North) (SNP): On a point of order, Presiding Officer. I could not connect to the voting system. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Gibson. I will ensure that that vote is recorded.

Emma Harper (South Scotland) (SNP): On a point of order, Presiding Officer. I could not connect to the system, either. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Harper. I will ensure that that vote is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Torrance, David (Kirkcaldy) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 68, Abstentions 0.

Amendment 75 disagreed to.

Amendment 11 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 11 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

15:15

Kenneth Gibson: On a point of order, Presiding Officer. The app would not let me connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Gibson. I will make sure that that is recorded.

Marie McNair (Clydebank and Milngavie) (SNP): On a point of order, Presiding Officer. My vote would not record. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms McNair. I will make sure that that is recorded.

Liz Smith (Mid Scotland and Fife) (Con): On a point of order, Presiding Officer. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Smith. I will make sure that that is recorded.

Craig Hoy (South Scotland) (Con): On a point of order, Presiding Officer. My app froze. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Hoy. I will make sure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)

Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 68, Abstentions 0.

Amendment 11 disagreed to.

After section 2

The Deputy Presiding Officer: Group 3 is on student support, including students with support needs. Amendment 1, in the name of Jeremy Balfour, is grouped with amendments 3 to 9.

Jeremy Balfour (Lothian) (Ind): I, too, start by thanking the minister for his constructive engagement, particularly as I came to the party quite late. My amendments are the result of a number of discussions that I had with charities—especially charities for the disabled—that wanted to engage on the bill.

Amendment 1 would place a clear duty on the Scottish ministers and the Scottish Funding Council to maintain funding for students with support needs by adding proposed new section 4A to the Further and Higher Education (Scotland) Act 2005. The intention is simply to ensure that the support that students rely on is properly funded and that it cannot be chipped away by inflation or a shifting budget. Amendment 1 would secure funding at no less than the real-terms level of 2025-26, which would protect vulnerable students from rising costs. It also asks ministers to set out clear eligibility criteria for support, so that students and institutions would know exactly how decisions were made.

To keep the system transparent, the SFC would publish an annual assessment that would show the impact of funding decisions, the level of unmet need and how support was being used. Before any regulations were introduced, ministers would have to consult those who represent students with support needs to ensure that lived experience informed the process. The use of the affirmative procedure would ensure that Parliament would retain proper oversight.

Amendment 1 is a sensible and proportionate amendment that would protect existing commitments, improve transparency and reflect the Parliament's long-standing commitment to fairness and inclusion. By backing it, members would ensure that students with support needs would not be left behind and that the system would remain accountable and responsive.

Amendment 3 would add a simple but important requirement to the consultation process that is set out in section 2E of the bill. It would ensure that, when decisions are made about a body's functions, ministers must consult those who represent students with support needs. That would strengthen the bill by making sure that the voices of students who often face the greatest barriers are not overlooked. It would bring their lived experience directly into the decision-making process and would help to ensure that any changes that are made would be fair, inclusive and properly informed. Although amendment 3 proposes a modest addition, it is one that would improve the quality and legitimacy of future consultations and that would help to safeguard the interests of students who rely on support.

Amendment 4 would ensure that, when ministers consult on matters relating to apprenticeships, they must also hear from those who represent apprentices and prospective apprentices with support needs. I believe that it would strengthen the bill by making sure that the experience of disabled apprentices and others who require additional support would be properly taken into account before decisions are made. Too often, such learners face barriers that are not always visible in the headline data, and their perspectives can be missed unless they are explicitly included in the consultation process. That small but important change would help to ensure that future policy is shaped by the people who understand those challenges best, which I hope will result in decisions being more inclusive and better informed.

Amendment 5 would ensure that, when ministers consult under section 10, they must also include those who represent students with support needs. That is a straightforward but, again, important addition to the bill, which would help to guarantee that the voices of students who often face the greatest barriers would be heard before decisions are taken for or about them. By explicitly requiring their inclusion in the consultation process, amendment 5 would strengthen the bill's commitment to fairness and would ensure that

policy would be shaped by a proper understanding of the challenges that such students face. It proposes another important change that would improve the quality of decision making and that would help to ensure that future arrangements were generally inclusive.

Amendment 6 would require the Scottish ministers to introduce regulations to ensure that anybody who is responsible for providing funding to support people with additional needs in further or higher education must report on how that funding is used. The amendment would create a straightforward but important layer of transparency that would allow Parliament and the public to see whether the support is actually reaching the students it is meant to reach. It is intended to help by including the relevant duty in regulations that would be subject to the affirmative procedure, thereby ensuring that Parliament could scrutinise and approve the measures.

Amendment 7 would require the Scottish ministers to publish guidance for post-16 education bodies on how to use funding effectively to support students with additional needs. It would ensure that colleges, training providers and other bodies had clear expectations about how the funding should be directed so that it generally benefits students. It is intended to help. The amendment would ensure that the guidance would cover how information about the support that is available is communicated to students and prospective students, so that no one misses out simply because they had not heard of it or did not realise that it existed. The amendment represents a practical and constructive step that would aid transparency; more importantly, it would help those students who need such support.

Amendment 8 would require the Scottish ministers to commission an independent review of how funding for students with support needs was being used and how effective that funding was in improving access, retention and outcomes for disabled learners in further and higher education. It would ensure that Parliament would receive a robust and evidence-based assessment of whether current arrangements were delivering what they were supposed to deliver and whether the support provided was generally helping students to enter education, stay on their courses and achieve positive results at the end. Once the review was completed, ministers would be required to publish the findings and lay a report before the Parliament, thereby ensuring full transparency and allowing members to scrutinise the evidence. I hope that amendment 8 is seen as a constructive amendment that would strengthen accountability, support continuous improvement and help to ensure that funding for support needs is used in a way that truly benefits the students who rely on it.

Finally, amendment 9 would require ministers to carry out a full review of student support funding within a year of the provision coming into force and to report the findings to Parliament. The review would look closely at how the system was supporting students with additional needs, how funding would be protected or improved as responsibilities moved between different bodies, and what the equality impacts were, both of the current arrangements and of the proposed changes. Once the review was completed, ministers would be required to lay a report before the Parliament, thereby allowing members to scrutinise the evidence. I believe that amendment 9 is a sensible and constructive amendment that would bring clarity to an area that is undergoing sufficient change. It would help to safeguard the interests of students who rely on support and to ensure that the Parliament has the information that it needs to oversee future decisions as things develop.

I look forward to hearing what the minister and others have to say.

I move amendment 1.

Paul O'Kane (West Scotland) (Lab): Like Jeremy Balfour, I come late to the party in some ways. I thank him for his amendments and the intent behind them. It is important to recognise the vital element of providing support to people with additional needs. There is always a desire to do more in that regard, which was recognised widely by stakeholders, including those in the college sector, who pointed to the fact that many of our institutions are focused on ensuring that they can widen access and support young people, in particular, who have an additional support need to be engaged in courses that are really important to them. We recognise and know the funding challenges that exist, and it is important that Jeremy Balfour has brought that to the fore through his amendments.

Scottish Labour is broadly supportive of the intent behind the amendments, which were also discussed as probing amendments at stage 2. However, I have concerns about how the amendments are drafted and about the principle of putting in primary legislation something that would tie the hands of future Parliaments and Governments and, indeed, the council that will be established by the bill.

There is a broader concern about the requirement in amendment 1 to maintain funding levels. Obviously, I recognise that that is an important ambition, which, again, would command general support, but I would be keen to understand how Jeremy Balfour envisages primary legislation doing that without tying the hands of future Governments in their budgets. There might be situations in which, for a variety of

reasons, colleges had to move funding around or to look at where there might be reduced demand in any given year. Would agreeing to amendment 1 mean, for example, that money would sit unspent because an institution could not spend it in a different budget line? That might be detrimental to what we are all seeking to find agreement on this afternoon.

We all agree that there is a need to provide enhanced support for those with additional support needs. I applaud Jeremy Balfour's tenacity in pursuing the issue, but I have the general concern that legislating in the way that he proposes might not be the correct way to go about it. We must continue to work together to hold the Government of the day to account for its actions, but I think that we need to build the policy consensus rather than trying to legislate for something in primary legislation.

I will leave my comments there. I am sure that we will hear more from the minister and Mr Balfour.

Ben Macpherson: I, too, am very grateful to Jeremy Balfour for lodging the amendments on the important issue of supporting students with support needs. It was really good to meet him at the end of last week and have the discussion that we had. I put on the record again today, as I expressed in our discussion, that I am, of course, very sympathetic to and agree with the intent behind the amendments. Everyone should be enabled and supported to participate in post-school education, training or skills development.

I want to mention the points that Jeremy Balfour made about the importance of inclusion and of ensuring that lived experience is involved in the formation of policy. We in the Government appreciate that people with support needs and disabilities are, at present, less likely to be economically active than others, and we are constantly exploring what more Government and its agencies might be able to do to change that. I know that Jeremy Balfour has been engaged in that matter for many years.

The Scottish Government is firmly committed to building a fairer Scotland in which people can access the support that they need to fulfil their potential in post-school education and training. Therefore, I reassure Mr Balfour and other members that the matters that are put forward in his amendments are being considered, or are best considered, administratively, and I will explain why. To ensure that that happens, I advise the Parliament that, as Mr Balfour and I agreed at the end of last week, I will arrange a meeting involving him, charities and organisations representing disabled people, Scottish Government officials, the Student Awards Agency Scotland and the SFC before the Parliament is dissolved at the end of March, so that further discussions can take place. Mr Balfour and I would welcome the involvement in that meeting of any other members who have an interest in the matter.

15:30

I now turn to the amendments themselves and will set out my rationale for believing that they are unnecessary and that they threaten to reduce flexibility or to create duplication of existing measures and legal duties, and that such matters, as I said, would be better considered administratively.

Amendment 1 would require ministers to

"ensure funding is provided to meet the support needs of students".

As has been explained, all Scotland's colleges and universities are already under a statutory duty, through the Equality Act 2010, to make reasonable adjustments so that disabled students, including those with long-term conditions, are not placed at a disadvantage. That enforceable legal obligation exists independently of this bill, so using the bill to create an additional statutory duty would not change or strengthen that requirement but would duplicate protections that already exist.

Any funding obligation on ministers is more properly a matter for the annual budget process and not for the bill. However, I acknowledge that there might be inconsistencies in how those duties are applied and in the extent to which support is provided. I hope that we can explore that in the discussion that I have committed to holding to determine whether we can improve how support is provided.

I understand that the intention behind amendment 3 is to ensure that the interests of students who have support needs are taken into account before any decisions that might significantly impact them are made. The bill already includes mandatory consultation requirements. Section 2E of the bill requires the fundable bodies to inform and consult the organisations that represent their students as a mandatory condition of receiving their funding. That is deliberately broad and already enables engagement with any organisation that represents students with support needs.

Similarly, amendment 4 is unnecessary given my amendment 31 in group 8. Amendment 4 would require ministers to consult apprentices and persons who appear to represent apprentices' interests. Once again, I consider that that is broad enough to include all kinds of apprentices, including those with support needs.

Amendment 5 would duplicate a provision in section 10 that gives the SFC the power to issue

statutory guidance to fundable bodies and to consult any stakeholders that it considers to be appropriate. Those to be consulted could include apprentices with support needs or organisations such as Lead Scotland.

Amendment 6 would require bodies that provide funding to people with support needs to report on that funding. Any funding for those with support needs is already monitored and reported on annually by SAAS, so amendment 6 would therefore duplicate existing reporting mechanisms.

Amendment 7 would require ministers to

"prepare and publish guidance ... in relation to the effective use of funding provided ... to students with support needs."

Guidance on disabled students allowance and on the additional support needs for learners allowance is already publicly available via SAAS and the SFC. Once again, that amendment would therefore duplicate existing provision.

Amendments 8 and 9 would require reviews of the funding that is provided to students with support needs. A consultation on support for part-time and disabled students was undertaken between June and October 2025 and captured views from both FE and HE students, including those undertaking distance learning. The responses are currently being independently analysed. The findings are due to be published this spring and I will ensure that that happens before the dissolution of Parliament. I appreciate that Pam Duncan-Glancy asked about that earlier and hope that my response will give early clarity about her expectations. The analysis of the results of that consultation will inform future policy and funding considerations whereas introducing parallel statutory reviews, as the amendments propose, would duplicate work that is already in progress. I am also conscious that Willie Rennie has lodged amendment 113 to ask for a more far-reaching review provision that would require a review of the operation of the entire act. We consider that proposal, which could include a review of funding, to be far preferable to amendment 9, making amendment 113 a better option.

All that considered, I thank Jeremy Balfour for lodging his amendments in group 3 and for ensuring that the bill process has considered the needs of a specific and important group of people. I hope that I have articulated and demonstrated why the Government does not believe that his amendments are necessary and that I have provided him with sufficient reassurance of the practical actions that I will undertake with him. I also hope that he will not press his amendments but, if he does, I encourage members to vote against them for the reasons that I have set out.

The Deputy Presiding Officer: I call Jeremy Balfour to wind up and to press or withdraw amendment 1.

Jeremy Balfour: I thank Paul O'Kane and the minister for their contributions. With regard to Labour's comments, I note that it is sometimes not a bad thing to tie future Governments. We do not know what future Parliaments will look like or what they will do. We know that at least one member with an obvious disability is not coming back next time. Future Governments can always amend legislation if they feel strongly about it, so I am not convinced that the argument about tying future Governments is always the strongest one. It is sometimes good to put things down that would require a change in legislation so that the whole Parliament can think about them.

I thank the minister for our constructive dialogue on Friday and for his very public offer of the meeting with the disabled people's charities, colleagues and others. I hope that members from other parties will attend that meeting, because it will be an opportunity to lay out the concerns and see how, in practical ways, they can be dealt with.

In light of the minister's offer, his comments and, in particular, Mr Rennie's amendment 113, which we will come to later and which I hope the Parliament will agree to, I do not intend to press amendment 1.

Amendment 1, by agreement, withdrawn.

The Deputy Presiding Officer: Group 4 is on publication duties. Amendment 2, in the name of Jeremy Balfour, is grouped with amendments 46 and 47.

Jeremy Balfour: Members will be pleased to hear that amendment 2 is my final amendment and, in speaking to it, I will be a lot briefer than I was last time.

Amendment 2 is an important amendment as it would introduce a new requirement on anyone who carries out a consultation under the Further and Higher Education (Scotland) Act 2005 to publish a summary of the responses that they receive, along with an explanation of how the responses have been taken into account. The amendment would build greater transparency into the consultation process and help to ensure that those who take the time to contribute can see how their views have influenced the final outcome, if at all. Importantly, the amendment includes a sensible safeguard that would allow the person who conducts the consultation not to publish where doing so would be inappropriate.

The straightforward and proportionate measure that I propose in the amendment would strengthen accountability and improve public confidence in decision making. Ultimately, it would ensure that

consultations are not treated as tick-box exercises but are a meaningful part of the shaping of policy.

I move amendment 2.

Ross Greer (West Scotland) (Green): I was pleased that the committee agreed to my amendment proposing the insertion of new section 6A at stage 2. It is a hobby-horse of mine that the public have the right to access public data. Section 6A places a duty on the SFC and any education body that receives funding from it to adopt a proactive approach to the publication of data that is considered appropriate for disclosure in the public domain. There is a huge amount of lost economic value in Scotland due to the fact that vast amounts of public data are not routinely available to the public.

New section 6A(2) outlines that the approach is intended, in essence, to be the opposite of reactive publication. The SFC will have to identify and publish information without the need for a specific request such as a freedom of information request or a written question by an elected member. Amendment 46 will refine that provision slightly to align it with the language of section 12 of the 2005 act, on the SFC's funding powers, and to make it clear that it applies to post-16 education bodies.

Amendment 47 proposes the addition of a new subsection (1A) to section 6A, such that the new duty will apply only to information that relates to the activities for which the body receives funding from the SFC, whether that is higher education, further education, apprenticeships, work-based learning or national training programmes. That is intended to make the provision proportionate and ensure that we do not impose a blanket duty on those bodies, so it should be easier to operate in practice.

For those reasons, my amendments 46 and 47 tidy up and clarify a principle that has already been accepted by the committee, and I hope that the Parliament will agree to them.

Ben Macpherson: I thank Jeremy Balfour for lodging amendment 2, but I am afraid that I cannot support it. The Scottish Government believes that it is inadvisable to put publication requirements for consultations into primary legislation without strong reasons why it is specifically needed in those circumstances.

There are many consultation requirements in the 2005 act, and they are not just for the SFC and Scottish ministers. Colleges and higher education institutions are in some cases required to consult, and, in some places, the 2005 acts says that the SFC must consult only and directly with ministers. Furthermore, the SFC is subject to a general "consultation and collaboration" requirement under section 22 of the 2005 act, which is an on-going obligation and not limited to specific functions. Amendment 2 creates a blanket requirement that could cut across the whole operation of the 2005 act and result in an unnecessary burden on the organisations involved. It would also be out of step with most other statutory consultation requirements.

However, I am happy to support Ross Greer's amendments 46 and 47. As he has stated, they improve new section 6A on proactive publication, which was introduced in an amendment that was agreed to at stage 2. Amendments 46 and 47 bring forward sensible changes to that provision to ensure that the duty to proactively publish bites on the right institutions—fundable post-16 education bodies—and that it applies only in respect of data that relates to the activities for which the body receives public funding. I hope that members will also support amendments 46 and 47 from Ross Greer.

I ask Jeremy Balfour not to press his amendment 2, for the reasons that I have set out. If he does press it, I encourage members to vote against it.

The Deputy Presiding Officer: I call Jeremy Balfour to wind up and to press or withdraw amendment 2.

Jeremy Balfour: I have nothing to add, Deputy Presiding Officer. I seek to withdraw amendment 2 as well.

Amendment 2, by agreement, withdrawn.

Section 2A—Review of credit-based funding model

The Deputy Presiding Officer: That takes us on to group 5, on minor and technical amendments. Amendment 12, in the name of the minister, is grouped with amendments 13, 15 to 18, 20 to 25, 27, 28 and 61.

Ben Macpherson: All the amendments in group 5 seek to tidy up the legislation. They consist of minor and technical drafting adjustments to ensure the good operation of the legislation.

All of them, except amendment 61, arise from changes that were made through non-Government amendments that were accepted at stage 2. For instance, amendment 12 inserts the correct definitions from the 2005 act into section 2A of the bill, which were missing from the provision at stage 2. Other amendments correct references to "fundable bodies" to make them refer, more accurately, to "fundable post-16 education bodies". Amendment 61 tidies up a similar reference in new section 12C, on widening access, which resulted from one of my stage 2 amendments.

There are no practical or policy changes resulting from any of the amendments in the

group. I urge members to support the amendments to ensure—

Paul O'Kane: Will the minister take an intervention?

Ben Macpherson: I will.

Paul O'Kane: I appreciate what the minister is saying about the technical nature of the amendments. However, would he be able to put on the record a response to the concerns that Universities Scotland has expressed on the amendments and the definitions that are being used, particularly with regard to issues around conflict of interest, transparency and other considerations potentially not applying to training providers and applying only to colleges and universities? Will the minister clarify whether that was the intention and what consideration he has given to that point?

Ben Macpherson: I thank Paul O'Kane for raising those matters and I thank Universities Scotland for its engagement on them. To be clear, the change to the use of the term "fundable post-16 education bodies" is to make the new section consistent with the rest of the 2005 act, so that legislation marries up across the two pieces of law. Of course, post-16 education bodies are slightly different from training providers, in that they have privileges and obligations under the 2005 act that training providers do not. Criteria for training providers will be set out in regulations, and when we award contracts, we can set out conditions in them—for example, on fair work. I hope that that reassures Parliament and Universities Scotland about why we are making these changes. Important considerations for training providers will be set out through regulations in due course and through contracts awarded.

The Deputy Presiding Officer: No other members have asked to speak. Minister, do you wish to add anything in winding up?

Ben Macpherson: I emphasise that no practical or policy changes result from any of the amendments in this group. I urge members to support the amendments to ensure that the bill functions effectively.

Amendment 12 agreed to.

Section 2C—Duty to place conditions on funding: conflict of interest

Amendment 13 moved—[Ben Macpherson]—and agreed to.

The Deputy Presiding Officer: Group 6 is on conditions of funding: general. Amendment 14, in the name of Ben Macpherson, is grouped with amendments 19 and 26.

15:45

Ben Macpherson: My amendments 14, 19 and 26 make the same technical adjustments to the new sections 9F, 9G and 9H of the Further and Higher Education (Scotland) Act 2005, as inserted by the bill through non-Government amendments that were accepted at stage 2 to remove incorrect references to sections 12D and 12J of the 2005 act.

Those changes simply correct references so that the 2005 act is clearly drafted and functions properly. There is no practical difference to how the provisions will operate in effect. Where conditions are attached to post-16 education bodies by virtue of sections 9F, 9G and 9H, they will apply to all of the operations of the post-16 education bodies, notwithstanding that those bodies might also provide education and training under other aspects of the 2005 act.

I ask members to support all of my amendments in the group. I move amendment 14.

Amendment 14 agreed to.

Amendments 15 and 16 moved—[Ben Macpherson]—and agreed to.

Section 2D—Duty to place conditions on funding: whistleblowing

Amendments 17 to 23 moved—[Ben Macpherson]—and agreed to.

Section 2E—Duty to place conditions on funding: engagement with trade unions, students and external partners

Amendments 24 to 28 moved—[Ben Macpherson]—and agreed to.

Amendment 3 not moved.

After section 2E

The Deputy Presiding Officer: Group 7 is on conditions of funding: prevention of gender-based violence. Amendment 29, in the name of Ben Macpherson, is the only amendment in the group.

Ben Macpherson: Amendment 29 enables Scottish ministers to impose a condition on the SFC to require the further and higher education bodies that it funds to take action against gender-based violence in their institutions. Colleagues will know that I have been engaged with that work for some years, and today we have a chance to make a meaningful difference.

First, I pay tribute to the remarkable and powerful campaigning that Fiona Drouet and EmilyTest have undertaken on the issue. I also thank Pam Gosal MSP for lodging an amendment on the issue at stage 2; we have worked together on amendment 29.

As I said at stage 2, good work is on-going across higher and further education institutions to address gender-based violence issues on campuses. Amendment 29 intends to build on that good work. I am grateful to Ms Drouet and Pam Gosal for our valuable discussion on the amendment earlier this month, and to Colleges Scotland and Universities Scotland for their constructive engagement with officials on the amendment and the matters that it raises.

Our colleges and universities should be places where all students can live, study and socialise safe from harm and harassment. Staff should also be able to work in an environment that is free from the risk of abuse and violence. The amendment can help to deliver that for all. The provision requires post-16 education bodies to act to prevent gender-based violence against their students and staff, and to provide support for students and staff who experience or have experienced gender-based violence.

Such bodies will be required to report annually to the SFC on compliance with those new requirements, and the SFC will be required to publish the requirements that it imposes on those bodies.

Gender-based violence is not defined in the bill, but the SFC will be required to provide guidance on that and on compliance with the new requirements in general. The SFC must also consult before it issues guidance. Taking such a collaborative approach is preferable to rushing to define gender-based violence in the bill. It is a sensitive and complex term, with different organisations using competing definitions. To make a practical difference, we need to get the definition right in future legislation.

Colleges and universities must take every action within their power to reduce the risk of gender-based violence happening. We need to be consistent and cohesive in our approach. Today, we have the opportunity to make meaningful progress on this, so I hope that all members can support this provision.

I move amendment 29.

The Deputy Presiding Officer: Thank you—no other members have asked to speak on the amendment—[*Interruption*.]

On the basis that the member has been name-checked in the minister's contribution, I am prepared to invite Pam Gosal to make a brief contribution at this stage.

Pam Gosal (West Scotland) (Con): Thank you, Presiding Officer. I apologise for being late.

I thank the minister for lodging the amendment, which is similar to one that I lodged at stage 2. A couple of weeks ago, the minister and I met Fiona Drouet from EmilyTest. Fiona's daughter Emily took her own life after suffering abuse from her partner, who lived in the same University of Aberdeen halls as she did. Fiona has been clear that, had the university staff been better trained to identify and respond to the signs of abusive behaviour, there might have been an opportunity to intervene.

Although amendment 29 is not exactly what Fiona and I had hoped for, it includes some important and welcome elements. In particular, it makes clear that, in order to receive public funding, higher and further education institutions must take action to prevent gender-based violence against students and staff and to support those who are experiencing or who have experienced it.

For those reasons, I am happy to support amendment 29.

The Deputy Presiding Officer: Thank you. I call the minister to wind up.

Ben Macpherson: I will wind up by again paying tribute to Fiona Drouet and EmilyTest, along with other organisations, and campaigns such as "Sex? On campus!", which have raised these issues for some years.

We have spoken about these issues as a Parliament through, for example, the 16 days of activism that we mark in various ways in this institution and through seeking to support those whom we represent. There is a lot of good work taking place on campuses to tackle gender-based violence in our colleges and universities but there is still progress to make. Amendment 29 will help in that regard and I urge all members to support it.

Amendment 29 agreed to.

Section 4—Scottish apprenticeships

The Deputy Presiding Officer: Group 8 is on Scottish apprenticeships and work-based learning. Amendment 30, in the name of Brian Whittle, is grouped with amendments 76 to 79, 31, 80, 81, 32, 82, 83, 34 to 38, 84, 40, and 85. I call Brian Whittle to move amendment 30 and to speak to all the amendments in the group.

In the absence of Mr Whittle from the chamber, I will have to call Miles Briggs to speak to amendment 76 and other amendments in the group.

Miles Briggs: Following some debate and discussion at stage 2, I lodged a number of amendments to look towards a definition of a Scottish apprenticeship. Specifically, I stated during stage 2 that I felt that the bill had missed an opportunity to provide improvements to the terms and conditions for apprentices and also to develop clear pathways to employment.

As the bill stands, there is no requirement for an apprentice to have a contract of employment or to be paid rather than receive other forms of reward. There is also no specific reference to the development and demonstration of competence in key areas, which is where I had hoped that the Government would work more with us to look for solutions.

From the outset, the Scottish Conservatives have expressed our concern that the bill could jeopardise foundation apprenticeships by removing them from the apprenticeship family as they stand and reclassifying them as as-yet-undefined work-based learning courses. Taking out formally assessed Scottish Qualifications Authority work placements and leaving a school-based "skills-for-work" type of course on its own would not achieve the same outcomes as a foundation apprenticeship.

Every MSP will have met people who are undertaking foundation apprenticeships and will have seen the huge opportunities and pathways into work that they provide. I have raised this issue privately and publicly with the minister. I am concerned about the loss of foundation apprenticeships, which is something that I want to highlight, as will Brian Whittle when he speaks to his amendments. We want to give the Parliament the opportunity to retain foundation apprenticeships as part of the bill. Given that the bill is still relatively vague in this area, there is no confidence that it will provide the certainty and the sound footing that are necessary for the continued delivery of foundation apprenticeships, which are internationally recognised and are a real Scottish success story.

The Government should have paused to consider what is essential if we are to meet the ambitions of our Scottish education system and to deliver on its key education priorities. As we debate stage 3, there is a lack of focus in the bill on the frameworks to support and protect apprenticeships—it has fallen short in that area.

I will listen to what the minister has to say in deciding whether to move amendments 76, 78, 80 and 82, in my name. However, for now, I intend to move them.

Willie Rennie: I have been working with Universities Scotland on my five amendments in this group. Universities Scotland is concerned that adding the terminology of "frameworks" into legislation when it was not previously there might embed the slow, overly bureaucratic and unresponsive apprenticeship framework system that—in Universities Scotland's experience—we currently have. Universities Scotland is not against frameworks; it thinks that there should be an opportunity to have frameworks but that they should not be stipulated in law.

Ultimately, it wants a system that is much more responsive and that adapts to the modern needs of employers. It takes a long time to develop new frameworks or to change existing frameworks for apprenticeships. Some higher education institutions have had to go down alternative routes rather than using the graduate apprenticeship to seize opportunities that exist in the economy for particular areas of study or work-based learning.

My plea to the minister is to stick with the framework in existing legislation, in order to allow greater flexibility in the system, rather than to put frameworks in the law and potentially embed the slow and unresponsive system that exists at present.

Ben Macpherson: Several amendments in the group revisit amendments that were lodged at stage 2. In speaking to those amendments, I will group them together where possible.

Assuming that Brian Whittle's amendments 30 and 32 will be moved, they seek to bring back the provisions in Pam Duncan-Glancy's amendments at stage 2. Amendment 30 seeks to add foundation apprenticeships to the definition of "Scottish apprenticeship". As I explained at stage 2, the bill has separate provisions for work-based learning that were expanded on at stage 2 to allow for the current arrangements for foundation apprenticeships to continue. The bill, as drafted and amended at stage 2, will allow the current arrangements for foundation apprenticeships to continue—I hope that that is absolutely clear to the Parliament.

I am sure that we will all agree that foundation apprenticeships are excellent for many of the people who engage with them. We want good practice to continue and grow. However, we should also acknowledge that there are many employers who do not like the term and description of "foundation apprenticeship". That is because school pupils are not in a contract of employment and foundation apprenticeships are perceived by some as devaluing apprenticeships, notwithstanding their value and what they achieve for many people. That is one reason why we were careful not to use the term "foundation apprenticeship" in the bill.

Miles Briggs: Throughout our conversations, I have found the minister's point to be problematic. From speaking to the industry and to young people who are in foundation apprenticeships, I do not think that such stigma exists. My concern has been that the OECD 2024 report, "Innovation in career pathways across five countries", identified foundation apprenticeships as a critical entry point to a wider apprenticeship network, but the Government will be taking that option away. Does the minister agree that it is problematic and

concerning that the OECD report was not used in the formulation of the bill?

16:00

Ben Macpherson: Again, I will be absolutely clear that nothing in the bill takes away the provision of foundation apprenticeships as they are right now. The terminology will change to "work-based learning"—that is it. It will continue to be possible to deliver what is delivered by foundation apprenticeships now should the bill be passed and implemented—I want to be absolutely clear about that.

Daniel Johnson: Will the minister take an intervention?

Ben Macpherson: If Daniel Johnson wants to make us clearer, I will be happy to take his intervention.

Daniel Johnson: I will try to be helpful. One of the interesting points in the Withers report was the need for consistent terminology about different levels of learning. I am interested in how the Government seeks to address that. In my view, a higher should be called a higher, whether it is a vocational, technical or academic qualification. Is the Government thinking about ensuring that we encourage parity of esteem by having consistent understandings about levels of attainment, regardless of the mode of learning? I am interested in the Government's view.

Ben Macpherson: Daniel Johnson raises very important points. A determination to achieve greater parity of esteem is at the heart of the process and of the Withers report. I am grateful to him for emphasising those points.

Brian Whittle's amendment 40 also appears to entirely exclude apprenticeships from the definition of work-based learning, which is, unfortunately, inconsistent with the fundamental aims of the bill.

Moving on to Willie Rennie's amendment 84, I am grateful for his comments today and for the exchanges that we have had on this point in meetings in recent weeks. Amendment 84 would change the definition of work-based learning to align it to "industry capabilities and skills". Work-based learning, as defined in the bill, is not limited to traditional industry sectors. It can also be aligned to a wide range of public sector occupations and pathways. The Scottish ministers will be able to set out further in regulations the requirements of—and activities that will constitute—work-based learning. In my view, that is a better place for specification, because it will allow for further change in the future and will allow us to engage and consult on what should be set out.

Miles Briggs's amendment 76 proposes that a Scottish apprenticeship must involve

"a paid contract of employment"

and that the apprentice must receive

"no less than the minimum wage for apprentices".

In practice, almost all apprentices will have a contract of employment. The bill already requires apprentices to work for reward, and whether a contract provides adequate pay and conditions for periods of learning will depend on its specific terms. As I indicated at stage 2 in response to very similar amendments, we expect that the vast majority of apprentices will be under a contract of employment. The bill includes a carefully framed definition that does not exclude the range of possible arrangements that would otherwise come within an apprenticeship. We do not want to limit future innovation, for example, to enable shared apprenticeships with multiple small employers. We must also reiterate that apprentices are given the full protections of an employee under employment rights legislation. The minimum wage for apprentices is set by the UK Government, and that already does—and will continue to—apply to Scottish apprentices. Amendment 76 is not only unnecessary but could be limiting, so I cannot support it.

Amendments 77, 79 and 81 seek to remove the requirement for Scottish apprenticeship frameworks. I acknowledge that there is frustration, especially among universities, with the pace of delivery of new graduate apprenticeships. I have appreciated discussions with Universities Scotland and others on that issue in recent weeks. Work on fixing those issues was already going on before the bill got to this stage and it will continue before the bill comes into force, but the bill will further assist with that work. The existence of frameworks is not, in itself, the problem. However, the process of developing graduate frameworks needs to be much more efficient, and frameworks should be shorter and simpler. The bill gives any person the power to request that a framework be prepared, and ministers have the power to set out in regulations the process to be followed by the SFC in response. We could therefore, for example, require that a request to the SFC be responded to within a certain timeframe, which would speed things up.

I cannot support these amendments because frameworks are, in themselves, fundamental to the operation of apprenticeships in Scotland. They can define the competency and professional standards expected of those who are delivering, assessing, verifying and assuring the quality of apprenticeship programmes. Frameworks also set out the role of employers and industry, and they specify the qualifications that are required for each

apprenticeship type, supporting transparency and—crucially—quality of delivery. Removing the frameworks would place their development and quality assurance outside the statutory protections that are provided by legislation and could result in an unhelpful free-for-all. We need to be able to trust that apprentices across the same discipline, within different employers or even sectors, are all broadly working to the same standards, so we need to take action on frameworks, but frameworks themselves are important.

Willie Rennie: If this provision is not in the current legislative arrangement, why is it necessary to include it now? What will actually change? What has been prevented from happening before that will be enabled now that it is in the legislation?

Ben Macpherson: As I said, first, the bill gives any person the power to request a framework to be prepared, which is a change, and, secondly, it gives ministers the power to set out in regulations the process to be followed by the SFC in response. The bill will help to provide the ability to give the SFC stronger direction on what needs to be done.

Amendments 78, 80 and 92 would shift the definition of a Scottish apprenticeship from a focus on agreed training to a focus on the attainment of competence. They would require apprentices to achieve competency through a combination of training and workplace demonstration, as set out in the relevant framework. However, that is not workable. The definition of a Scottish apprenticeship must be based on the work that is undertaken, the training that is provided and the agreement between the parties; it cannot be defined by whether an individual achieves a particular outcome.

Stephen Kerr's amendment 83 revisits his stage 2 amendment that sought to put colleges and local authorities ahead of private training providers in delivering training of apprentices to meet the requirements set out in apprenticeship frameworks. Amendment 83 would at least enable the mixed economy of public and private provision to continue. However, the relevant requirements of an apprenticeship are expected to be prepared with a view not to who would provide the training, but, rather, to the required standards or qualifications to be achieved and the types or amounts of necessary training.

Turning to my amendment 31 and Ross Greer's amendments 34 and 36—

Stephen Kerr: Would the minister give way?

Ben Macpherson: I apologise to Mr Kerr. I have moved on to Ross Greer's amendments, but I will be listening carefully to what is said later.

My amendment 31 and Ross Greer's amendments 34 and 36, together with amendment 60—in my name, in group 12—augment the lists of consultees across the bill. They ensure the inclusion of apprentices and their representatives and trade unions where appropriate. These amendments respond directly to the appeals that were made by various members at stage 2.

Finally, Ross Greer's amendment 35 would place a duty on the SFC to publish its reasons for amending or revoking an apprenticeship framework. Although that could have been achieved through regulations under section 12F(4), placing the requirement in primary legislation ensures even greater transparency, and I am pleased to support Ross Greer's helpful amendment.

As I mentioned, many of the amendments in this group cover similar ground to amendments that were lodged at stage 2, and my arguments against them remain the same. I hope, therefore, that Brian Whittle will not move his amendments 30, 32 and 40—or that Miles Briggs will not do so on his behalf, if that is the case—and that Stephen Kerr will not press his amendments 37, 38 and 83. Similarly, I ask Miles Briggs not to move his amendments 76, 78, 80 and 82, and I ask Willie Rennie not to move his amendments 77, 79, 81, 84 and 85. In all those cases, if the amendments are moved, I urge other members to vote against them. I ask members to vote for my amendment 31 and for Ross Greer's amendments 34, 35 and 36.

Stephen Kerr: I listened to what the minister said about my amendments and in response to Willie Rennie's intervention. He described his aspiration for the preparation of frameworks for apprenticeships as a desire for efficiency. I think that a better word would be "effectiveness". I am afraid that the word "efficiency" does not inspire me to believe that everyone who should be involved in the preparation of a framework would be involved. That is the motivation behind my amendments in this group.

The truth is that apprenticeship frameworks will work only if they are rooted in the real economy. They cannot be designed in isolation and then imposed on the real economy. Amendment 83, which the minister addressed in his remarks—I tried to intervene on him at that point—would go beyond the broad and non-specific general approach that he outlined as the preference of ministers. I know that Government ministers, and the Government in general, always like to have the maximum amount of broad and non-specific manoeuvrability, but amendment 83 asks that the Scottish Funding Council, when preparing a framework, consider who is best to deliver it—

whether it be a college, a local authority or a private provider—as part of the preparation.

That would mean that we would not be building a framework around the institutions or organisations that we ask to be involved in the preparation of a framework; we would be involving the appropriate people in the preparation of the framework from the beginning. To me, that sounds obvious, and it matters, because Scotland's labour market is not uniform. Capacity, expertise and employer relationships vary by sector and by place. A one-size-fits-all assumption about delivery leads to a risk of having frameworks that look neat on paper and are, to paraphrase the minister, efficient, but that do not actually work on the ground or in the real world.

Colleges Scotland supports amendment 83, precisely because colleges already play a central role in apprenticeship delivery and design, but also because it recognises that flexibility matters if we want frameworks to stay relevant and responsive. The amendment would protect the flexibility that the minister alluded to but would avoid hardwiring a system that becomes outdated as sectors evolve.

Amendments 37 and 38 deal with how frameworks are created in the first place. They would require the Scottish Funding Council to work in conjunction with employers, industry representatives, managing agents and training providers when preparing, amending or revoking frameworks. In other words, the amendments would put those who actually employ apprentices and train them at the heart of the process.

That is not an abstract principle. It is not ideology or some kind of grandiose theory. Employers are the ones who know where skills shortages are emerging, how technology is changing job roles and what competence looks like in practice. We already know, from evidence to committees of the Parliament and from the SPICe analysis, that weak employer engagement is one of the reasons why apprenticeship frameworks can lag behind labour market need.

From my point of view, this is about economic realism. If we want apprenticeships to be a genuine alternative to the traditional university route, and if we want real parity of esteem—there has been a bit of a mention of nomenclature, which I think is relevant—apprenticeships must lead to real jobs in growing sectors, with progression and earning power. That becomes a compelling reason for apprenticeships to become a priority choice that people make.

That is why I lodged the amendment on outcomes, which we debated earlier. Obviously, outcomes matter to the people involved, but they also matter enormously to all of us who are part of the real-world economy, and they should certainly matter to the Government.

If we are talking about expanding the tax base in this country—the Conservatives certainly want to talk about doing that—we need to tool up the economy to allow it to grow. All that matters, because if employers are not at the heart of the process—if they are not consulted or are only consulted at the margins and are not embedded in the framework—we undermine the very outcomes that I think that we all agree that we would like to see.

16:15

That also matters for productivity. It is not just Scotland in the United Kingdom that has a productivity gap—the UK as a whole has a problem with productivity. The gap will not be closed by providing qualifications that do not match what businesses need. Frameworks that are designed with employers, training providers and colleges together are far more likely to deliver skills that raise output, support innovation and help firms to grow.

I keep hoping that the minister might intervene to explain to me why what I am saying is not entirely logical to him. I think that it is logical that my amendments have a place in the bill.

I am not at all suggesting that ministers step back from their responsibilities—I am not removing or diminishing their role—but there is a difference between strategic oversight and centralised control. The amendments strike that balance. They keep national coherence while grounding frameworks in evidence, demand—that is the real economy—and delivery capacity. That is why I lodged amendment 83 in the first place. We must have the means to deliver the apprenticeships.

Taken together, amendments 83, 37 and 38 would make the system more responsive, more credible and more durable. They would support apprenticeships as a serious route into skilled work, including higher and graduate apprenticeships—or degree apprenticeships—and they strengthen the link between education, skills, industry and the outcome of real economic growth. That is why I urge the Parliament to support them.

Ross Greer: As the minister mentioned, my amendments 34 and 36 would add to the list of consultees in section 4. Amendment 34 would add apprentices, representative bodies and trade unions to the list of required consultees for the preparation of the apprenticeship frameworks, and amendment 36 would make the same change for when a framework is being amended or revoked. I hope that all members will support giving greater recognition to the voice of apprentices and trade unions in the system.

Amendment 35 would make a further slight tweak. The minister and I lodged similar amendments at stage 2, but I agreed to support his amendment at that point on the proviso that we could add this further tweak at stage 3, which would simply require the SFC to publish its reasons for amending or revoking an apprenticeship framework when it takes those actions. It would provide a bit more transparency and allow us to understand the SFC's rationale for taking whichever course of action it has chosen to take.

I am pleased to have the minister's support for those amendments, and I hope that the rest of the chamber will support them, too.

Brian Whittle (South Scotland) (Con): I apologise to you, Presiding Officer, and to everyone in the chamber, for missing the start of the group. Three groups were swiftly gone through after I went for a comfort break, and I find myself in the position of speaking to my amendments after the minister has replied to them, which is quite a novel thing to happen.

I lodged my amendments on the back of speaking to many councils, the Association of Directors of Education in Scotland, the Society of Local Authority Chief Executives and Senior Managers, which is the membership network for public sector and local government professionals, and the employer-led Scottish Apprenticeship Advisory Board. Their fear is that, without amendment, the bill risks foundation apprenticeships by removing them from the apprenticeship family and reclassifying them as "work-based learning" courses that have yet to be formally defined.

When a student disengages, we lose their potential. Although getting a modern apprenticeship is a fantastic goal for a 16-year-old who has lost faith in the classroom, jumping straight into full-time employment can be a leap too far for those students, because they often lack the soft skills, resilience and confidence that experience can inspire. I have spoken to teachers, and we are talking about pupils who have disengaged from school.

Ben Macpherson: I appreciate that we did not have a chance to engage before stage 3 because of the late lodging of his amendments, but I would have been very pleased to have met Brian Whittle on these matters.

In case Brian Whittle did not hear my responses to Miles Briggs and other members, I want to make it absolutely clear again that everything that is currently delivered under foundation apprenticeships can be delivered under the new "work-based learning" definition. There will be no change and no detriment. We are seeking to put apprenticeships on a statutory footing, and the bill will provide parity of esteem and increase the opportunities for apprenticeships to grow and develop. I make it absolutely clear that we are not diminishing the offer of apprenticeships, including foundation apprenticeships. If any local authorities want to write to me on the matter—some already have—I will respond to them in detail. The concept of foundation apprenticeships will continue, but that name is not in the bill.

Brian Whittle: I was in the chamber to hear what the minister said. He said that councils and other organisations can speak to him about the matter, but why has he not spoken to them before this point? They are concerned about the renaming of foundation apprenticeships, because they have no problem with that name whatsoever. Why are we changing something that is not broken?

Ben Macpherson: For the record, I note that I have engaged with the Convention of Scottish Local Authorities on the issue and that I have had other conversations about it. As I said in my response to Miles Briggs, everyone with whom I have engaged has been supportive of the practical learning that foundation apprenticeships deliver, but there is some disagreement about that name as a descriptor. That is why we have not included that name in the bill and why "work-based learning" is more appropriate and advantageous as a definition. That is why we are seeking to make the changes that I have outlined.

Brian Whittle: Minister, you have not yet formally defined what you mean by "work-based learning".

The Deputy Presiding Officer (Annabelle Ewing): Always speak through the chair, please.

Brian Whittle: I am sorry, Presiding Officer.

I note that, although the Scottish Government committed to undertake a review of foundation apprenticeships, that work has not begun. It seems short sighted, at the very least, to legislate in this policy area without knowing the outcome of that review.

Miles Briggs: In this debate, we need to focus on what often goes on in schools. I do not think that we would say that what goes on is work-based learning, but foundation apprenticeships take place in our schools. Often, those who are furthest away from the education system are the ones who access those.

I have raised the issue with the minister, because I am concerned about it. Recently, along with other Edinburgh MSPs, I visited Liberton high school, which, through Tigers, is providing access to foundation apprenticeships that provide skills in key sectors, such as construction. The

Government is sending the signal that the learning will be workplace based, but I am not sure that it understands that schools will not necessarily be captured. The local authorities that fund such programmes might decide not to fund them in the future, which would take away those opportunities.

I have made that case several times to ministers, but it does not seem to have been heard. What guarantee will the Government give—I am sure that Brian Whittle will want to know this—that we will not lose such opportunities in translation through the bill?

Brian Whittle: I have very similar concerns.

Ben Macpherson: Will Brian Whittle take an intervention?

Brian Whittle: If I can, I will address the previous intervention.

At the school that I visited, we were talking about children who, throughout their time in primary and secondary school, had spent approximately one year in total in school. That had been the case for three generations, so those children were lost to the education system.

The teachers were able to deliver a foundation apprenticeship that brought them back into the fold, back into education and on to positive destinations. What do we mean by a positive destination? How do we define that quality job? If we asked everyone in the chamber, I am sure that they would all give different answers.

I want to use a case study, if I can. I am not one for statistics, but I was speaking to Aberdeenshire Council, and it has delivered foundation apprenticeships and sustained positive destinations—into employment, higher education and modern apprenticeships—to a level that is 10 per cent higher than the national average for those in foundation apprenticeships. There is increased average attainment of 61 per cent for all school leavers who completed a foundation apprenticeship. Is that not what we are trying to achieve?

There is no lack of want from the industry, despite what the minister says. Ninety-six per cent of employers would be willing to host a foundation apprenticeship. Most importantly, 93 per cent of pupils rated their foundation apprenticeships as being good or excellent, and 60 per cent of foundation apprentices said that completing a foundation apprenticeship would encourage them to stay on at school, and re-engage them as students, while 82 per cent said that learning in a foundation apprenticeship is more enjoyable than learning in a national 4 or 5.

That is why we need to ensure that there are multiple pathways for students to reach positive destinations. We cannot afford to lose foundation apprenticeships, which are a valuable pathway, just because the bill does not describe them.

Ben Macpherson: I reiterate that the concept of foundation apprenticeships and what they deliver are not affected by the bill. I feel like I need to repeat that, because statements are being made that insinuate that foundation apprenticeships will not continue.

Miles Briggs: Will the member give way?

The Deputy Presiding Officer: Mr Briggs, the minister is intervening on Mr Whittle.

Ben Macpherson: I am sure that members would not want to mislead Parliament inadvertently, so I feel that I should state that in section 5 of the bill, as amended at stage 2, proposed new sections 12I(2)(a) and 12I(2)(b) of the 2005 act define work-based learning. To reassure Mr Briggs and Mr Whittle, they also articulate that work-based learning means

"education and training received by an individual—

(a) in a working environment, or in an educational environment in which work-based activities are undertaken by the individual,

which should reassure Mr Briggs on the point that he raises, and, for completeness,

"(b) on the basis of a work-based learning agreement."

I encourage colleagues to look at section 5(2), as amended at stage 2, and I am sure that they will be reassured.

Brian Whittle: I also feel as though I am repeating myself all the time. If 96 per cent of employers are willing to host foundation apprenticeships again, that sounds like a success to me. The minister is talking about reclassifying them as "work-based learning" courses, which have still yet to be defined. The Government has also committed to undertaking a review of foundation apprenticeships—work that has not been done, and yet it is making those changes.

Stephen Kerr: Does my friend agree that he is making an excellent point to illustrate why the bill is such an unsatisfactory piece of legislation? There was a great opportunity for us to work across the chamber to deliver a refreshed landscape for post-school—

The Deputy Presiding Officer: Mr Kerr, could you please address your remarks to the microphone so that the official report staff can hear?

Stephen Kerr: It is the funny shape of our chamber, is it not? I will face forward to speak to Mr Whittle. [*Interruption*.] Somebody is commenting on my funny shape, but that is a different matter.

The reality is that the bill was an opportunity, and that opportunity has been squandered. There are all kinds of ideas coming from across the chamber and outside Parliament that could have refreshed the post-school landscape, and we are missing that open goal.

Brian Whittle: I thank my colleague for that intervention. In this case, the Government is trying to make changes for change's sake. I do not know why we are trying to change something that is extremely successful. I want to see foundation apprenticeships increase. Everybody understands what a foundation apprenticeship is. Not one person I have spoken to across all those organisations has had any problem with calling it a foundation apprenticeship. Everybody understands what that means.

As I have said before, that approach is supported by many of the councils that I have spoken to, by the Association of Directors of Education in Scotland, by members of SOLACE—the network for public sector and local government professionals—and by the employer-led Scottish Apprenticeship Advisory Board. Why change something that is not broken?

I move amendment 30.

16:30

The Deputy Presiding Officer: I will ask you formally, Mr Whittle: do you intend to press or withdraw amendment 30?

Brian Whittle: Press.

The Deputy Presiding Officer: The question is, that amendment 30 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Kenneth Gibson: On a point of order, Presiding Officer. I am afraid that, for the third time this afternoon, my app did not work. I would have voted no.

Douglas Lumsden (North East Scotland) (Con): You were not in the chamber.

Kenneth Gibson: I am in the chamber!

The Deputy Presiding Officer: Members! [*Interruption*.] Please resume your seat, Mr Gibson.

Members—[*Interruption*.] Excuse me! If members wish to make any point, they should do so on their feet, not from a sedentary position.

Could you repeat what you were saying, Mr Gibson?

Kenneth Gibson: I would have voted no, Presiding Officer.

The Deputy Presiding Officer: Thank you, Mr Gibson. Your vote will be recorded.

Michelle Thomson (Falkirk East) (SNP): On a point of order, Presiding Officer. I was unable to connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Thomson. Your vote will be recorded.

The Cabinet Secretary for Education and Skills (Jenny Gilruth): On a point of order, Presiding Officer. My app did not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Gilruth. Your vote will be recorded.

Ruth Maguire (Cunninghame South) (SNP): On a point of order, Presiding Officer. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Maguire. Your vote will be recorded.

Douglas Ross (Highlands and Islands) (Con): On a point of order, Presiding Officer. I was in the chamber when the vote was called. A number of members ran in after the vote was called. Presumably they were having a cup of tea and were watching proceedings. Is there an obligation on you, Presiding Officer, to ensure that only those in the chamber at the time register their vote, so that we do not all have to wait for those who are finishing their cup of tea to register their votes? [*Interruption*.]

The Deputy Presiding Officer: Members!

Further to Mr Ross's contribution, my understanding is that members were indeed logged into the system.

Kevin Stewart (Aberdeen Central) (SNP): On a point of order, Presiding Officer. I am glad to hear your ruling. However, this afternoon there have been folks who have been called to speak in debates who have not been in the chamber, or who have come in just seconds before they started. Surely that is a greater discourtesy to the Parliament.

The Deputy Presiding Officer: That is not a point of order, Mr Stewart. The member concerned apologised.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)

Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 45, Against 71, Abstentions 0.

Amendment 30 disagreed to.

Amendments 76 to 79 not moved.

Amendment 31 moved—[Ben Macpherson]—and agreed to.

Amendments 4, 80 and 81 not moved.

Amendment 32 moved—[Brian Whittle].

The Deputy Presiding Officer: The question is, that amendment 32 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Pauline McNeill (Glasgow) (Lab): On a point of order, Presiding Officer. I could not connect, but I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms McNeill. Your vote will be recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 45, Against 70, Abstentions 0.

Amendment 32 disagreed to.

Amendment 82 not moved.

Amendment 83 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 83 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)

Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 47, Against 71, Abstentions 0.

Amendment 83 disagreed to.

Amendments 34 to 36 moved—[Ross Greer]—and agreed to.

Amendment 37 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 37 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Meghan Gallacher (Central Scotland) (Con): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Gallacher. Your vote will be recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 46, Against 71, Abstentions 0.

Amendment 37 disagreed to.

Amendment 38 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 38 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Meghan Gallacher: On a point of order, Presiding Officer. Once again, my app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Gallacher. Your vote will be recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 47, Against 71, Abstentions 0.

Amendment 38 disagreed to.

The Deputy Presiding Officer: I understand that the minister wishes to make a point of order.

Ben Macpherson: On a point of order, Presiding Officer. I wish to speak in the interest of the *Official Report*. In my intervention on Brian

Whittle, I stated that section 5(2) of the bill, as amended at stage 2, gave a definition of work-based learning. I wish to correct that to say section 5(3).

The Deputy Presiding Officer: Thank you, minister. That will be noted on the record.

Section 5—Funding for Scottish apprenticeships and work-based learning

The Deputy Presiding Officer: We now come to group 9, on funding for Scottish apprenticeships and work-based learning. Amendment 39, in the name of Stephen Kerr, is grouped with amendments 41, 42, 43, 44 and 86.

Stephen Kerr: For me, the amendments in this group go to the heart of what the bill could actually mean for people, because they are not about structures. We can debate governance, powers and frameworks all day long, but the real test of legislation is whether it expands opportunity. What is important are the people who should be at the centre of the bill. The amendments are about raising skill levels and, fundamentally, helping Scotland's economy to grow and its people to prosper. The amendments are about ensuring that apprenticeships and work-based learning, as the minister has defined it, will do exactly that.

I will begin with amendment 39 because it sets the tone. It would require ministers, when funding the system, to

"seek to ensure that every person aged 16 to 24 who is not in full time education or employment is offered access to a publicly-funded Scottish apprenticeship or work-based learning opportunity."

Brian Whittle used a phrase that ministers and other representatives of the Government party like to use a lot, which is "positive destinations". That is such a broad term that it is pretty much meaningless. The reality is that there are far too many 16 to 24-year-olds in our country for whom that phrase almost has the sound of mockery about it.

16:45

Brian Whittle: Does the member agree that some destinations are more positive than others and that we have to make sure that those routes are available to all our pupils?

Stephen Kerr: I do. Under the current definitions that Government ministers like to use and that the SNP likes to parrot, the duration of the tracking of positive destinations is very limited, and the broadness of the term means that a person can work in a charity shop for a couple of hours a week, and that is considered a positive destination. As someone who has ambition for Scotland and for the people of Scotland, I say that that ought not to be seen as a positive destination.

I lodged amendment 39 in order to create an obligation on the Scottish ministers. It would not guarantee placements or create entitlements without effort, but it represents a commitment to opportunities. One of the driving influences in my politics and the politics of many of my colleagues on this side of the chamber is the concept of equality of opportunity. Equality of outcomes is a different matter, because ultimately people will rise to whatever level it is that they aspire to rise to in terms of hard work and effort and all the stuff that goes with that. However, creating more equality of opportunity is what we are in business to do. That is exactly why we on this side of the chamber are Conservatives, and my amendment represents a commitment to opportunity.

Too many young people—I do not see how other members could disagree with this, because it is a sad reality—fall into the gap between school and work. Too many young people disconnect very early on and never quite reconnect, and once that happens, the costs to the individual and to society rise quickly. My amendment is about keeping doors open and making sure that we have a system that reaches out rather than one that waits passively.

The Scottish Parliament information centre analysis ahead of stage 3 highlights long-standing concerns about disengagement among young people who are not in education, employment or training and the uneven availability of apprenticeship opportunities across Scotland. Amendment 39 addresses those issues and that problem directly.

If the Parliament will forgive me, I will dwell on amendment 41 for a moment, because it goes to something deeper than skills policy. It recognises that apprenticeships are not just for school leavers, which can be a trap in our thinking. Modern working lives are not linear. Maybe some of us in the chamber had the opportunity, before we entered politics, to work in the same business and the same role or function for our whole careers, but that is very uncommon in the modern economy. As I said, modern working lives are not linear, and people have to retrain. Industries decline and technology reshapes jobs. We are in the midst of such a reshaping of our economy right now. On average, people will change careers multiple times over the course of their working lives.

Amendment 41 seeks to ensure that apprenticeships and work-based learning provision will include pathways that are targeted at unemployed people, people who are seeking to change careers and those who are at risk of labour market exclusion. That matters, and it

should be in the bill, because helping someone to retrain is not just an economic intervention; it is also about human dignity and empowering people to have control over their lives. This is not about handouts. This is about the hand-up that we should all aspire to see as a common feature of our society—a society based on fairness and a society where we believe in equality of opportunity. It is about giving people the tools that they need to take responsibility for their own futures, rather than parking them on benefits and just hoping that things will change. Work gives people structure, purpose and independence. A system that actively helps people to reskill and re-enter employment is a system that believes in personal agency, not managed dependency.

If someone wants to move from a declining sector into a growing one, the system should back that ambition. We should back that ambition. If someone has lost their job and wants to get back into productive work, we should be helping them to do so, not writing them off as yesterday's workforce.

Amendment 42 focuses on the front-end of the pipeline. It requires the Scottish Funding Council to

"promote and support school-to-work pathways, including school-college partnerships, foundation apprenticeships"—

those have been renamed—

"and work-based learning"

in the senior phase. That is not new thinking. The evidence has been around for years that, when schools, colleges and employers work together, transitions improve and drop-out rates fall. However, delivery has been inconsistent and too often has depended on local good will rather than national expectation. Amendment 42 bakes those relationships into the system.

I have seen, as have many of my fellow parliamentarians, how beautiful it is when young people—particularly those who have dropped out of school because of their lack of interest or a variety of other reasons—have their imagination ignited by seeing what is available to them, for example, in college. That is why, after the intervention from Brian Whittle, I talked at length about the opportunity that the bill provides to reimagine and reshape the landscape for post-school journeys. The bill has missed that opportunity, but it is being reshaped by amendments.

Colleges Scotland has been clear that colleges are central to those pathways, and it already provides wraparound support that improves completion and progression rates. I would like to specifically call attention to the inspiring example that I have seen at Forth Valley College. Amendment 42 strengthens that part of the SFC's role and gives it permanence.

Amendment 43 is on graduate apprenticeships, which I strongly believe are one of the most underused assets in our skills system. I have indicated a couple of times that I think that the name often misleads people: you do not have to be a graduate to go on a graduate apprenticeship. The whole point of it is that you are an undergraduate, and one of the positive outcomes of the apprenticeship is that you obtain a degree.

Amendment 43 requires the Scottish Funding Council to take steps to expand the range and the number of graduate—or degree—apprenticeship frameworks and to prioritise the sectors that are experiencing skills shortages. If we had more time, I think that members across the chamber would agree that a number of roles are key. I point to the health service, where such an apprenticeship would be most welcome.

Pam Duncan-Glancy: The member is quite right to point out the issues around graduate support. Does he agree that, with the gap between the number of disabled people and the number of non-disabled people in graduate-placed jobs growing, there is a need to do something specific for the group of disabled graduates who are in underemployment?

Stephen Kerr: I am delighted that Pam Duncan-Glancy intervened to make that point specifically in relation to underemployment. Our economy suffers from underemployment. When the governing party of Scotland is making a political point by boasting that more people who pay tax are earning less than £30,000 a year, I think that we have a serious underemployment problem in our country.

I agree with the member. We should be more imaginative in how we see the workforce and not write off whole demographic groups of people in our society. If we believe in equality of opportunity, that has to apply to people of all ranges of ability and disability.

The apprenticeships that I am enthusing about—which I hope is an enthusiasm shared by others—combine degree-level learning with paid employment. They deliver high completion rates, high employer satisfaction and excellent employment outcomes, yet uptake remains limited and patchy. Amendment 43 pushes the system—I think that we should do so—to focus on the areas that matter most: the sectors that underpin productivity and economic growth.

I apologise, Presiding Officer—I am coming to a conclusion, but all the amendments in the group are my amendments, and I am addressing them all to give members an opportunity to hear the

rationale behind them and consider with an open mind whether they support them.

Amendment 44 is about accountability. Importantly, it says that apprenticeship numbers should not fall year on year unless ministers come to the Parliament to explain why and secure approval. We have topped out the number of apprenticeships in Scotland because of the centralised and planned way in which we decide how many there are. On this side of the chamber, we have repeatedly made the case for a demand-led apprenticeship system in which employers who have jobs and roles are given the support that they need to be able to fulfil them and opportunities are given to young people, people who are changing their careers, underemployed people and unemployed people.

Daniel Johnson: I wonder whether one of the more fundamental points to make is that the risk of consolidating skills funding in tertiary education more broadly means that we lose the clear focus and line of sight that we have on numbers and, most critically, on skills funding. That topic will be covered when we discuss further sections, but I wonder whether the loss of that clarity is an issue. Does Stephen Kerr agree that that is one of the risks?

Stephen Kerr: I absolutely agree with Daniel Johnson. I am concerned that, by lumping apprenticeships into the Scottish Funding Council in this way—that is fundamentally what the bill does—we will lose sight of the issues that he raises. Although we talk about parity of esteem in this Parliament whenever we get the opportunity, that is not how it plays out when it comes to money. We know the pressure that the higher education and further education systems are under in this country. Where does the squeeze come from? That is what worries me, which is why I have lodged amendment 44. You cannot go backwards.

John Mason (Glasgow Shettleston) (Ind): I agree with Stephen Kerr about the importance of apprenticeships, but we have an ageing population and fewer young people, so how can legislation require that the number of apprentices is not reduced?

Stephen Kerr: John Mason and I get along really well, but I am really disappointed that he has not listened to anything that I have said. I lodged an amendment based on the fact that apprentices are not an age-limited demographic. This is about people of all ages and at all stages of their careers. I break it gently to my friend John Mason: apprentices are not only teenagers and people in their early 20s; there are apprentices of all ages. We should celebrate the marvellous, flexible idea of apprenticeship and combine it with the principles of lifelong learning, changing careers and all the things that a labour market system such as ours should facilitate and that we should support.

The fact is that apprenticeship numbers have fluctuated sharply over the years, sometimes without clear explanation. Amendment 44 ensures transparency and forces difficult decisions into the open, rather than burying them in budgets or in guidance.

Amendment 86 addresses volatility. It requires an annual labour market assessment to inform funding decisions, which would involve properly consulting employers and industry bodies. Too often, funding is allocated in silos. It is symptomatic of any Government that silo working and silo thinking emerge. A disconnect occurs between other parts of Government and, most importantly, what happens on the ground. The SPICe briefing and stage 1 scrutiny highlighted concerns about whether the expanded Scottish Funding Council will have sufficient up-to-date labour market intelligence to guide decisions. Amendment 86 directly responds to those concerns.

17:00

Putting those things together, these amendments are not radical; they are practical. They are grounded in evidence and they reflect how a modern labour market actually works. They promote parity of esteem between academic and technical and professional training routes. They strengthen apprenticeships at every level, especially—I have laboured this point—in relation to undergraduates and the undergraduate or degree apprenticeships. The amendments align education funding more closely with economic need, opportunity and growth. If this bill is to be about the workforce and the economy of the future, these amendments deserve Parliament's support.

I move amendment 39.

Paul O'Kane: Scottish Labour welcomes the intent behind many of the amendments in the group because we have been clear that there are significant gaps in the existing apprenticeship and funding landscape. There is unmet need both for young people in the skills system and businesses that need apprenticeships.

Many of the reflections that we have heard in the debate so far are really important, not just in relation to young people in the skills system but in relation to the importance of the breadth and depth of apprenticeships across lifelong learning and across the opportunities that are provided for everyone.

We are concerned, and have been concerned for some time, about the lack of data on colleges, which means that there is not a clear understanding of how many qualified apprenticeship applicants are being turned away or how that relates to the needs that industry puts forward and advocates for. What we do know is that learning providers requested 34,000 starts in 2024-25, for example, compared with actual starts of around 25,000. We also know that there are major skills shortages across the economy. Indeed, recent research by Scottish Engineering found that 20 per cent of skills demand has been unmet due to real-terms funding cuts to apprenticeships in Scotland.

That is why we have advocated, both during the bill process and more widely, for alignment of college funding with skills need, industrial strategy and employment outcomes, and to give colleges more independence and flexibility, particularly in terms of their finances, to unlock more co-investment from industry. That is also why we are supportive of reform to skills delivery and careers advice, to empower regional collaboration and leadership to ensure that Scotland's skills delivery matches local business needs—again, much of this has been spoken about in relation to many of the amendments. It is why we must address unmet need in Scotland's apprenticeship system by boosting funding for apprenticeships, so that every qualified applicant in priority sectors and occupations can be guaranteed a place.

Although I welcome the intent behind the amendments in this group to increase the number and scope of apprenticeships and to deal with the lack of opportunities for many of Scotland's young people, I have some specific concerns around amendments 43, 44 and 86 in relation to whether we should tie the hands of the council into the future to permanently expand the range and scope number. We might want to err on the side of ensuring flexibility in the system to allow the council to be responsive to the needs that will emerge and develop.

Stephen Kerr: I am sure that Paul O'Kane must realise that, in saying what he is saying, he is in a way contradicting the point that Daniel Johnson made in his intervention on me. Unless the bill requires the Funding Council to take care of certain matters, the flexibility that he is calling for might lead to an increase in the current disparity of esteem.

Paul O'Kane: That takes us back to my earlier points about things that go in the bill. I genuinely think that there are matters of policy and there are matters of legislation and, very often in this Parliament, we conflate some of those matters by thinking that we can legislate our way into ensuring that policy is done well—and, crucially, funded well.

I think that we are in concert today about whether ever-upward expansion should be something that we absolutely aspire to. I just do not know whether putting it in the bill will deliver that in its totality and in reality. I worry that it could create hostages to fortune, in a way, or that additional layers of bureaucracy might come in as a result of, for example, amendment 86's call for labour market assessment. I would expect that to be part of any national funding strategy, which we have already debated this afternoon. Mr Kerr is shaking his head—perhaps he does not have the same faith that I do in relation to this. "Not at all," he is saying. However, I think that that would be the expectation of whoever is sitting in the Government seats after the election. That should be a priority when looking very clearly at the funding strategy.

That brings me to my broad view of the themes in the amendments. There is clearly much more to do to get to where we want to be on apprenticeships and apprenticeship starts. I do not think that, at this stage of the parliamentary session, the bill will effect the change that we need. Members will not be surprised to hear me say that it is a change of Government that would make a difference. There are a variety of pieces of legislation at this stage of the parliamentary session that will not create the change that is required, which I am sure that we will hear more about as we proceed to the debate on the bill.

Ben Macpherson: I thank Stephen Kerr for his engagement on the bill at stage 2 and when we met this month. I know that Mr Kerr is keen to see tangible benefits from the bill and to ensure that those will be delivered. I believe that his intentions are well motivated and I know that he is keen on accountability, outcomes and delivery. I could not agree more, but the question is how best to achieve those aims.

I will support his amendment 50, which we worked on together, when we come to it in a later group. That amendment will ensure that the SFC is accountable and focused on outcomes through enhanced reporting.

However, the amendments in group 9 raise issues that were already debated at stage 2. During that debate, Stephen Kerr argued that Scotland's education system often places disproportionate emphasis on university pathways and that it overlooks young people who are "not academically inclined". He has repeated some of those points with different words today. Mr Kerr stressed at stage 2 that many young people fall through the cracks, so to speak, which is something that we must all constantly consider and improve the circumstances around.

I think that his amendment 39 has the same aim as his stage 2 amendment, which is to provide equality of opportunity and ensure that unmet demand in the apprenticeship system is addressed. He emphasised those points in his comments today. I am sympathetic to his intent but, as I said to the committee at stage 2, it would be difficult for any Government to guarantee those aims, particularly because they depend on employers being able to provide sufficient jobs, apprenticeships and work-based learning. It is also assumed in the amendment that apprenticeships or work-based learning are the most suitable options for young people who are not already engaged, but they might wish for and be better suited to other forms of education or training.

Amendments 41, 42, and 43 are in the same vein as the amendments that were lodged at stage 2. Amendment 41 seeks to target apprenticeships to specific groups, for example those who are excluded from the labour market; amendment 42 seeks to "promote and support" school-to-work transitions; and amendment 43 seeks to ensure that steps are taken

"to expand the range and number of graduate apprenticeship frameworks",

with a focus on sectors that are

"experiencing skills shortages".

I agree with the underlying principles of those amendments. However, there are several reasons why I cannot support them. Amendments 41 and 42 would introduce selective provision. Such a targeted approach would be at odds with the SFC's broader duty to secure coherent provision across the system. Under the 2005 act, there are important matters that the SFC must have regard to when doing so. There are some significant amendments to those matters in group 12, which we will come to later.

Stephen Kerr: In relation to my amendment 41, what underpinnings are there for the Scottish Funding Council to consider

"unemployed persons... persons seeking to change careers, and... persons at risk of labour market exclusion"?

At the moment, those things are not within the purview of the SFC. How does the minister believe that any of those groups of people will even be a consideration in the allocation of funding, apprenticeships and places?

Ben Macpherson: When we were discussing these matters at an earlier juncture, I referred to considerations that the SFC must have regard to in relation to the Equality Act 2010. I also spoke in group 1 about the national funding strategy that we will put into law should the bill be passed.

Embedding amendment 43's provision in primary legislation would limit flexibility, because, over time, we might find that a streamlined set of broader frameworks delivers better outcomes than an expanding collection of highly specialised ones. For example, a single overarching health professions framework could, hypothetically, be more efficient than a series of individual frameworks for each discipline. We do not want to tie future Governments into a fixed arrangement, as Paul O'Kane emphasised.

Amendment 44 brings back another proposal that Stephen Kerr made at stage 2. Again, the principle of year-on-year growth in the number of apprenticeships is laudable, but, in practice, various factors that affect apprenticeship numbers sit outside the control of Government. Those factors include the population available for apprenticeships, which is dependent on the population of young people continually growing, and the number of other people who are seeking to retrain and upskill.

Daniel Johnson: The minister mentioned growth being contingent on the number of young people who are available. It is really important that we expand the apprenticeship and skills system to deliver upskilling and reskilling, so that apprenticeships can deliver for older people as well. Will the minister reflect on that point?

Ben Macpherson: Daniel Johnson's point is well made, and I was seeking to emphasise that point when I specifically mentioned upskilling and reskilling. Given the technological change that we will experience in the 21st century economy, the need to upskill and reskill will only become more important. We want to create opportunities for our people to do that where and when it is appropriate and right for them.

Employers ultimately decide whether they can take on apprentices. In more difficult economic conditions, businesses might be reluctant to hire, making it harder to deliver the desired number of apprenticeship starts that would be required by amendment 44.

Amendment 86 would require the SFC to undertake a labour market assessment. As I explained at stage 2, that is not a task that fits with the SFC's statutory role. The SFC's role is to secure coherent and high-quality provision of education and training. It is for the Scottish Government to assess labour market demands and skill shortages with other public bodies, including Skills Development Scotland. That is addressed through my amendment 10, which we discussed in group 1, on a national funding strategy, which will ensure that funding decisions are based on the skills needs in Scotland.

For the reasons that I have set out, I cannot support any of the amendments in the group. If

Stephen Kerr presses or moves them, I urge other members to vote against them.

The Presiding Officer (Alison Johnstone): I call Stephen Kerr to wind up and to press or withdraw amendment 39.

Stephen Kerr: The minister and I know each other quite well, so he knows how important it is for me personally—and, I hope, for all of us—that, when we pass legislation in this Parliament, we do so not on a performative basis but with some change outcome in mind. That change outcome, as a result of legislation, should be a betterment, not a worsening. That is the motivation behind my amendments.

Daniel Johnson's intervention was timely and pertinent. I am concerned about what the bill does, because it is basically a bureaucratic shift from Skills Development Scotland to the Scottish Funding Council. I know that a pile of people with a pile of expertise and understanding will go from one Scottish Government body to another, but I am concerned about the tight financial frameworks in which the Scottish Funding Council has been operating for some time. We have had well-rehearsed arguments in the chamber about the state of Scotland's universities and their financial precariousness. We have had long debates about Scottish colleges and the 20 per cent reduction in funding that has occurred just within the sixth session of this Parliament. My concern is about putting apprenticeships into that context. We know that there is unmet demand for apprentices. Thousands of apprenticeship roles are being unfilled as a result of the current system. There are roles, positions and opportunities for training out there that would give people the leg-up in life that they need, but they are not being taken because of the way in which we have chosen to organise apprenticeships.

When Miles Briggs gets up to speak shortly about the apprenticeship levy funding, I do not know whether he plans to make comparisons with other countries, including England and Germany, but we must learn from those countries about how they are making apprenticeships really matter for the people who undertake them. It is not just young people—again, Daniel Johnson highlighted that point in his intervention on the minister, and I completely agree with it.

17:15

I really do not understand the minister's reference, in response to my intervention, to the Equality Act 2010. Perhaps, after the debate, he will take me aside and tutor me on that—in fact, I see that he is indicating that he may write to me.

I do not know what the 2010 act has to do with my amendment 41. I get that it relates to the issues that Pam Duncan-Glancy raised about disability, but I am talking about the unemployed and people who are seeking a career change midway through their working life. I am talking about people who are in danger of labour market exclusion. I genuinely worry that, in the new set-up, consideration of those groups of people will be very low down on the agenda.

Paul O'Kane suggested to me that I have a low level of trust in Government. Guess what? Yes, I do: I really do not trust Government.

The whole point of us, as a Parliament, is to hold the executive to account and, to be frank, to keep a check on what it is putting in a bill. I understand the point that Paul O'Kane makes about the difference between policy and putting things in law, or trying to legislate for policy. However, I am afraid that not putting such basic things in the bill leaves the door wide open for the maximum amount of flexibility, which we do not necessarily want to see when there are certain aspects of the bill that we know are unsatisfactory.

I will, therefore, press my amendment 39 and move my other amendments in the group.

The Presiding Officer: The question is, that amendment 39 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

The Cabinet Secretary for Finance and Local Government (Shona Robison): On a point of order, Presiding Officer. I could not connect. I would have voted no.

The Presiding Officer: Thank you, Ms Robison. We will ensure that that is recorded.

Kenneth Gibson: On a point of order, Presiding Officer. I could not connect. I would have voted no.

The Presiding Officer: Thank you, Mr Gibson. Likewise, we will ensure that your vote is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)

Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 46, No 73, Abstentions 0.

Amendment 39 disagreed to.

Amendment 84 not moved.

Amendment 40 moved—[Brian Whittle].

The Presiding Officer: The question is, that amendment 40 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Shona Robison: On a point of order, Presiding Officer. I am still trying to connect. I would have voted no.

The Presiding Officer: Thank you. We will ensure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)

Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 47, Against 73, Abstentions 0.

Amendment 40 disagreed to.

Amendment 41 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 41 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Shona Robison: On a point of order, Presiding Officer. I am still working on my connection. I would have voted no.

The Presiding Officer: Thank you, Ms Robison. We will ensure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kevin (Aberdeen Central) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 47, Against 72, Abstentions 0.

Amendment 41 disagreed to.

Amendment 42 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 42 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

The Minister for Drugs and Alcohol Policy and Sport (Maree Todd): On a point of order, Presiding Officer. Apologies—I would have voted no.

The Presiding Officer: Thank you, Ms Todd. We will ensure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 46, Against 73, Abstentions 0.

Amendment 42 disagreed to.

Amendment 43 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 43 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): On a point of order, Presiding Officer. I could not log on to the voting system. I would have abstained.

The Presiding Officer: Thank you, Mr Russell. We will ensure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Lab)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division is: For 28, Against 72, Abstentions 18.

Amendment 43 disagreed to.

Amendment 44 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 44 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Pam Gosal: On a point of order, Presiding Officer. I could not access the voting system. I would have voted yes.

The Presiding Officer: Thank you, Ms Gosal. We will ensure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Griffin, Mark (Central Scotland) (Lab)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 28, Against 90, Abstentions 0.

Amendment 44 disagreed to.

Amendment 85 not moved.

Amendment 86 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 86 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

The Cabinet Secretary for Health and Social Care (Neil Gray): On a point of order, Presiding Officer. I was unable to access the voting system. I would have voted no.

The Presiding Officer: Thank you, Mr Gray. We will ensure that that is recorded.

Sharon Dowey (South Scotland) (Con): On a point of order, Presiding Officer. I would have voted yes.

The Presiding Officer: Thank you, Ms Dowey. We will ensure that that is recorded.

For

Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
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Don-Innes, Natalie (Renfrewshire North and West) (SNP)
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Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
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Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
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MacGregor, Fulton (Coatbridge and Chryston) (SNP)
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Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
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Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Lab)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Presiding Officer: The result of the division is: For 28, Against 72, Abstentions 18.

Amendment 86 disagreed to.

The Presiding Officer: That concludes this group. Before we move on to group 10, we will have a 10-minute comfort break. Members should be back in the chamber for 17:40.

17:29

Meeting suspended.

17:44

On resuming—

After section 5

The Presiding Officer: Thank you, colleagues. We resume with group 10, which is on skills funding and apprenticeship levy funds. Amendment 87, in the name of Miles Briggs, is grouped with amendments 88, 90 and 91.

I will give Mr Briggs a moment.

Miles Briggs: My amendments 87, 88 and 90 build on amendments that I lodged at stage 2, when I hoped that ministers would acknowledge the cross-party support that exists for more transparency on the apprenticeship levy.

Businesses and industry leaders across Scotland have argued for some time that we need stronger transparency in how the levy is applied and spent in Scotland. As I said at stage 2, the ability to follow funding that is raised by businesses in Scotland from the apprenticeship levy through our training system in Scotland is not easy—in fact, it is often impossible.

The apprenticeship levy is a UK-wide tax on employers and is collected by His Majesty's Revenue and Customs. It came into force in 2017 and is set at 0.5 per cent of an employer's annual wage bill. It is collected across the whole UK, but the way that funds are used and allocated differs. In Scotland, levy receipts go to the Scottish Government via the block grant. However, in England, levy-paying employers access their own digital accounts to spend funds directly on apprenticeships. That is another reform that we would have liked to see in the bill, but it has not been included.

HMRC data shows that at least £875 million was raised by Scottish employers under the apprenticeship levy between 2020 and 2024. However, data shows that only £704 million has been spent on graduate, foundation or modern apprenticeships by Skills Development Scotland, the Scottish Funding Council or the Student Awards Agency Scotland, which means that there is a £171 million black hole in what should have gone on apprenticeship funding and which has been diverted elsewhere.

John Mason: I thank Miles Briggs for giving way and I think that he knows what I am going to say, because we had this debate at stage 2. The money is not being diverted. The whole point of devolution and the Scottish block grant is that we get a certain amount of money and we decide in this Parliament how we will spend it. That does not mean that the money is being diverted; it just means that we make different choices.

Miles Briggs: That is exactly why we need more transparency on where the funding has gone. I am sure that Mr Mason would support that principle, especially given his work on different Scottish Parliament committees. Transparency around public funds is surely something that we all agree on and would want to strengthen our systems in regard to.

Having listened to ministers and the reasoning behind their not supporting my amendment 123 at stage 2, I have tried to help them and, therefore, have lodged a suite of amendments that seek to provide different options to improve annual reporting on the apprenticeship levy and how it is spent in Scotland.

Amendment 87 would insert a requirement for the Scottish ministers, each financial year, to

"seek information from the United Kingdom government on the amount of funding provided through the block grant adjustment as a result of the apprenticeship levy established by Part 6 of the Finance Act 2016."

Amendment 88 would establish an annual report on the use of apprenticeship levy funding in Scotland. Each financial year, the Scottish ministers would have to

"prepare a report on the use of funding allocated to skills and training that is derived from"

the associated block grant adjustment. The report would include

"the total amount of funding allocated by the Scottish Ministers that was derived from the block grant adjustment associated with the apprenticeship levy"

in each financial year.

Perhaps most importantly, and I do not see why ministers would not support this, amendment 90 would provide annual reporting on funding for skills and training, which would deliver better understanding of where the apprenticeship levy is going—where it is being spent, Mr Mason. The amendment sets out that

"The Scottish Ministers must, for each financial year, prepare a report on the use of funding allocated for skills and training."

Why is that important? Previously, colleges have benefited from the flexible workforce development fund, for example, which was positively evaluated and provided a great return on investment, using funding from Scotland's share of the levy. I believe that more transparency would allow colleges and employers to see the returns that come to Scotland, where the levy is being both raised and spent, and the additional opportunities that are being created for learners.

The amendments in this group deal with the levy and are really important. I know that from debates and from questions that I have asked, specifically when the Deputy First Minister has been in the chamber. In response to one of my questions, she said that the Scottish Government is not against more transparency about, and scrutiny of, the apprenticeship levy, so I hope that the Government will support my amendments.

I move amendment 87.

Daniel Johnson: I begin by saying that I support much of what Miles Briggs has just set out. We could have a long discussion about John Mason's point about making different choices or about the nature of the Barnett formula or the block grant adjustment, but the reality for employers is a simple one. They are being asked to pay a sum of money that was meant to enable them to fund skills development and that should have been under their direction, but they cannot do that. Worse than that, the way it all works actually deters them from undertaking certain work on skills, which they prefer to do in England.

Jamie Hepburn (Cumbernauld and Kilsyth) (SNP): Will Mr Johnson give way?

Daniel Johnson: I am happy to.

Jamie Hepburn: Does Mr Johnson recognise that employers are being asked to pay that money as a consequence of the previous UK Government unilaterally introducing a policy to fund its ambitions for apprenticeships in England but doing so without any form of engagement or consultation whatsoever with the Scottish Government?

Daniel Johnson: The member makes a fair point, and I think that a lot of people would question whether that was the right policy or was done in the right way. Notwithstanding that, the point is that employers or levy payers were promised something that had at least some potential advantages but that those get wiped out because of the way the system works in Scotland. Employers in Scotland frankly do not care about the detail of Barnett consequentials; they are essentially paying in money that they are not able to get back out while employers elsewhere can do that.

Jamie Hepburn: Will Mr Johnson give way?

Daniel Johnson: We might be stretching our colleagues' patience, and I want to move on.

The system is imperfect and the least that we can do is to ensure that there is transparency, to pass the money on and, critically, to preserve control.

That brings me on to my amendment 91. The unfortunate thing about groups of amendments is that we do not have control of how our amendments are grouped. I would rather have had my amendment 91 grouped with amendment 105 because it is critically important that we have direct involvement from industry—from employers and from trade unions—so that they can not only define policy but direct funding.

The screens in the chamber have gone off. It looks as if we have crashed the system and I do not know whether that is a good sign or a bad one. Let us assume that that happened because of the quality of our debate.

The key point is that, in the absence of a clear strategy, we will bake flaws into the system if we do not get the fundamental structure right. Ultimately, we want a responsive system that does not require prediction or forecasting but that, because of the voices of employers, industry and trade unions, means that we can see how money is being used to deliver the right skills, in the right way and at the right time.

My amendment 91, in conjunction with amendment 105, seeks to ensure that we retain a focus on skills funding and that it does not simply get folded and subsumed into other funding pots. There is stress and pressure within the system. To date, the Scottish Funding Council has been responsible for college and university funding, which means that there is an inevitable pressure for it to use skills development funding to ease other pressures, so it is vital that we preserve clarity about the quantum of that funding and ensure that its control is directed, as far as is possible and appropriate, by those who are actually aware of what is required for skills delivery.

The aim of amendment 91 is simply to ensure that we preserve transparency and clarity on the skills budget so that we can track it. I will speak further about the need to strengthen industry voices in the governance in order to get the strategy right when we come to group 14.

Ben Macpherson: I appreciate the engagement that I have had on the matter with Miles Briggs, Daniel Johnson and other members, as well as relevant employers and business representative organisations.

Miles Briggs's amendments 87 and 88 would require the Scottish ministers to ask the UK Government for information on the amount of funding that Scotland gets from the apprenticeship levy and then to report on the use of that funding.

Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): I am very supportive of Miles Briggs's amendments in the group, but I was hoping that the bill would include recognition of cross-border co-operation. The minister could be missing a trick with the amendments. It is important that businesses that employ apprentices who straddle both sides of the border are able to access funding through appropriate eligibility. Could the postcode anomaly be dealt with through the reporting mechanism? If not, will the minister implement significant policy changes through other means to change the eligibility criteria for those in postcodes such as TD12, in my constituency?

Ben Macpherson: The member raises complex matters that require engagement with a number of different parties, so I urge her to follow up today's bill proceedings with written correspondence. I can then consider, along with the relevant employers and public bodies in the region and, crucially, all other parliamentarians who represent the south of Scotland, whether there is collaborative work that we can do together that might have meaningful and positive impact.

Funding from the apprenticeship levy was discussed at stage 2 in the context of amendments that were similar to the amendments in the group that we are discussing. At stage 2, Stephen Kerr expressed his concern that there is, in his view, a lack of transparency on use of the apprenticeship levy in Scotland and, in particular, how it is used to benefit employers. He argued that more funding should be allocated to apprenticeships linked to levy revenue.

As John Mason MSP and others pointed out at the time—Mr Mason rightly emphasised this again today—it is a fundamental principle of devolution that the Scottish Government can use its block grant funding from the UK Government in different ways to meet Scottish priorities. There would be no point in devolution if the Scottish Government mirrored the UK Government on every funding allocation.

Stephen Kerr: I do not think that anyone is disputing the principle that John Mason raised and which the minister has reiterated. What we are seeking is clarity and transparency on how much is that part of the block grant and how much is being spent. Employers have raised that issue with the minister—I know that he has met them—and with us all. Miles Briggs's amendments seek to address that issue so that we are completely transparent. I think that, in normal conversation, the minister would probably agree with that.

Ben Macpherson: I appreciate those points being raised. The considerations about devolution and spending decisions being made on a devolved basis are important, but if we put those aside, the reasons why amendments 87 and 88 cannot be taken forward remain unchanged. In short, there is little point in placing a duty on the Scottish ministers to ask for something when there is no way of making UK ministers provide an answer.

18:00

Since the financial year 2020-21, Scotland has received a Barnett formula share of the UK Government Department for Education's apprenticeship funding through the block grant. The Scottish Government does not receive a dedicated allocation of apprenticeship levy revenue, which means that it is not possible to directly link the money that is raised from the levy to any specific funding stream. I would envisage that that relates to some of the points that Jamie Hepburn made in his intervention about when the policy was first introduced by the UK Government and the lack of consultation that was undertaken, as he articulated it, with the Scottish Government.

Miles Briggs's amendment 90 and Daniel Johnson's amendment 91 relate to funding for skills and training and how that is reported. They are unnecessary for a number of reasons. The SFC already prepares and publishes an annual report in which it outlines how it has allocated funding for specific purposes—that is already covered in the 2005 act.

With regard to amendment 91, the appropriate mechanism for setting expectations around funding outcomes is already available through the terms and conditions of funding that the Scottish ministers can impose on the SFC. That is already possible under existing powers in the 2005 act. My amendment 10, in group 1, requires the Scottish ministers to create and maintain a national funding strategy, as we discussed earlier. The requirement to set out the outcomes that the Government seeks to achieve through funding tertiary

education, skills and apprenticeships will be clearly addressed in that new strategy.

I appreciate that there has been a lot of dialogue previously on the apprenticeship levy. For the reasons that have been set out today and previously, I ask Miles Briggs not to press his amendment 87 or move his amendments 88 and 90, and I ask Daniel Johnson not to move his amendment 91. If they do press those amendments, I encourage members to vote against them.

The Presiding Officer: I call on Miles Briggs to wind up and to press or withdraw amendment 87.

Miles Briggs: I have not found the minister's arguments convincing. He will have heard from Green, Liberal, Democrat, Labour and Conservative MSPs at committee that we want more transparency. The Scottish Parliament's mace, which is in front of us, has the four words "Wisdom", "Justice", "Compassion" and "Integrity", but maybe "Transparency" should also be there.

The Government had an opportunity to work with us to lodge amendments, but somehow it has not done that work. I would have thought that ministers would be able to support amendment 90 because it gives them the opportunity to provide transparency to Parliament that we do not currently have. Because of that, it is down to members of the public and politicians in Opposition parties to submit freedom of information requests to find out what money HMRC has given the Scottish Government and where the Scottish Government has allocated that money.

There is still £171 million that Scottish businesses have expected to be spent on the delivery of apprenticeships that has not been spent on that, and there is no transparency about where that money is.

Jamie Hepburn: Does the member recognise that the lack of transparency extends from the way in which the UK Government expends its funding on apprenticeships? It may raise its money that way, but the money that comes to the Scottish Government is provided not on the basis of how it is raised but on the basis of how much is spent by the UK Government.

I freely concede that I do not have a line of sight on it now as I did after the introduction of the levy, but one of the challenges at that stage was that, despite the levy raising a certain amount of funds across the UK, apprenticeship numbers in England were going down. The real question was where the money was being spent there.

Miles Briggs: Maybe Mr Hepburn's involvement in the matter should also have generated some asking of questions about where that money is being spent in Scotland—that does not seem to have resulted in any more additional transparency.

Mr Hepburn often talks about this Parliament not being respected by Westminster, so I am not sure why the Scottish Government does not want to build stronger links with Westminster to find out where that money is being spent and, indeed, to provide the transparency that we are asking for. It can work both ways, and my amendments would provide the opportunity for that information to be made—

Stephen Kerr: Will the member give way?

Miles Briggs: Yes.

Stephen Kerr: I am grateful to the member for making the point about the need for Governments on this island to co-operate. On a broader issue, should we not be learning from the successes and the failures of apprenticeship systems in England and other parts of Europe? Why would we not?

Miles Briggs: Absolutely—the bill could and should have included that.

I do not know why ministers have not wanted more transparency. I have raised the issue with the Deputy First Minister, who specifically answered a question by saying to me that the Scottish Government is not against more transparency and scrutiny surrounding the apprenticeship levy. It sounds as though its back-bench members are against transparency—and its ministers have not taken it forward, either.

I will press my amendments. I hope that—

Ben Macpherson: Will the member take an intervention?

Miles Briggs: Yes.

Ben Macpherson: With respect to what Mr Briggs is articulating, does he appreciate the point that I made in my remarks that the issue with amendments 87 and 88 is that there is little point in the Scottish ministers asking for something when there is no way of making UK ministers provide an answer? That is one of the key fundamental difficulties.

Miles Briggs: If you don't ask, you don't get, and the minister is not willing to ask.

I understand that the minister might not expect to get the information from the UK Government that amendments 87 and 88 refer to and which I hope he would, but there is no excuse whatsoever for the Government not supporting amendment 90. I certainly hope that Liberal Democrat, Green and Labour members will unite behind it, because it will provide us with transparency from the Scottish ministers and we will not need to ask Westminster for anything.

If members reject amendment 90, they obviously do not want to change the transparency around the funding. For employers and the industry across Scotland, the apprenticeship levy will continue to go to other things, not delivering more apprenticeships, which is what they expect that money to be going towards. I press amendment 87.

The Presiding Officer: The question is, that amendment 87 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Sue Webber (Lothian) (Con): On a point of order, Presiding Officer. I could not connect. I would have voted yes.

The Presiding Officer: Thank you, Ms Webber. We will ensure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)

Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 45, Against 72, Abstentions 0.

Amendment 87 disagreed to.

Amendment 88 moved—[Miles Briggs].

The Presiding Officer: The question is, that amendment 88 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Sue Webber: Apologies, Presiding Officer. I would have voted yes.

The Presiding Officer: Thank you, Ms Webber. We will ensure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)

Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 43, Against 73, Abstentions 0.

Amendment 88 disagreed to.

The Presiding Officer: Group 11 is on reporting, monitoring and recommendations by the council. Amendment 89, in the name of Miles Briggs, is grouped with amendments 48, 49, 92, 93 and 50.

Miles Briggs: I have misplaced my notes, so I will have to speak off the top of my head.

Annual reporting was discussed at stage 2, and I lodged amendment 89 so that ministers could reconsider the matter at stage 3. In its report, the Education, Children and Young People Committee recommended strengthening the reporting provisions, and engagement with the minister has been helpful in that regard. A number of amendments were agreed to at stage 2, and I hope that the minister will support amendment 89 to provide more transparency. I hope that, collectively, we can take forward that theme through the bill.

I move amendment 89.

Ben Macpherson: I will get straight to the point: I prefer Stephen Kerr's amendment 50, which we worked on together, to Miles Briggs's amendment 89, although I appreciate that the points that were raised at stage 2 encouraged the Government to think more about annual reporting. That allowed us to reach the point at which amendment 50 could be lodged.

Amendment 50 provides for a broader and more flexible approach, and it is not tied to the financial year or the SFC's annual report. Ministers can direct the SFC on the content of the report, which is already set up to include more of the SFC's functions.

Amendment 93, in the name of Willie Rennie, deals with a similar issue. He is right to highlight the importance of reporting on financial sustainability, and I understand the intent behind requiring an independent report. However, I prefer Stephen Kerr's amendment 50 for a number of reasons, which I will set out.

Amendment 93 would specifically require the report to consider the financial sustainability of

"research among the post-16 education bodies"

and of Scottish apprenticeships as a whole. Funding for research is not provided solely by the Scottish ministers; funding can and does come from UK sources, as well as through private and philanthropic routes, and some of that funding might be commercially sensitive. The SFC, rightly, does not have as much of an oversight role in that area, and I believe that that is how it should be.

Moreover, it is very difficult to see how the financial sustainability of apprenticeships could meaningfully be assessed in that way. Should it involve looking at the businesses of employers and other training providers, that would be going too far into private entities, and there would be a lack of underpinning powers to deliver that.

Instead, amendment 50 requires the SFC to report on the performance of those delivering apprenticeships, as well as work-based learning and programmes of training for employment. That is important in ensuring quality from providers, rather than focusing on financial aspects.

As I have said, we all agree on the importance of improved reporting, and I think that all the amendments in the group share some common goals. However, my view is that amendment 50 strikes the better balance and is more extensive. Some of the aims of amendment 93 might be attainable through the power of the Scottish ministers to give direction. Indeed, amendment 50 is broad enough to enable the SFC to commission an independent report as well as conduct its own.

Amendments 40 and 49, in my name, tidy up some of the amendments that were agreed to at stage 2. The bill now uses the term "fair work principles" instead of referring to the fair work first policy. Using that language maintains consistency with other Scottish legislation and enables adaption should the terminology around fair work change in the future. Fair work first is a specific Government policy that requires alignment with fair work through funding mechanisms, so it is inappropriate for the purposes of the bill. Through my amendment 57, which will be considered in the next group, ministers will be able to set out the meaning of fair work principles for the purpose of the SFC's functions by way of a direction to the SFC, which will allow that key policy to remain responsive and adaptable over time.

18:15

Willie Rennie's amendment 92 would provide that the SFC may secure an independent examination into the financial sustainability or financial governance of a body only where the majority of the members of the SFC decide that that is necessary. With respect, that is not workable. The SFC is responsible for setting out its own rules and how it operates at board and

committee level. The 2005 act makes provision for that. I understand that the intention behind amendment 92 is to avoid decisions being made unilaterally or without clear rationale in the SFC. Decisions at the SFC board are and should be made together, with every member sharing responsibility for the SFC's actions. That is with regard to the 2005 act, not amendment 92. The practical details of how that operates are rightly for the SFC's standing orders.

I hope that I have done enough to convince Miles Briggs and Willie Rennie that Stephen Kerr's amendment 50 is preferable to their respective amendments. I therefore ask Miles Briggs not to press amendment 89 and Willie Rennie not to move amendments 92 and 93, and if they do, I encourage members to vote against them. I ask members to support Stephen Kerr's amendment 50 and my amendments 48 and 49.

Willie Rennie: For those who are not listening carefully to this, the minister has just set out why he is supporting Stephen Kerr, and Stephen Kerr why he is supporting the minister. Who would have thought that Stephen Kerr would be the modern-day patsy for the SNP? Perhaps this is a new Stephen Kerr that we have never seen before. He may return, I suspect, to his usual form.

I congratulate Stephen Kerr on being able to persuade the minister on this front, because I think that my amendment is superior to his. Amendment 93 aims to bring in what is already in place for Scotland's colleges, which is, in effect, for Audit Scotland to conduct an annual review of the financial sustainability of universities. That is something that we should seek, especially after the couple of years that we have been through, particularly with the University of Dundee but also with other institutions that have had problems.

There is already the ability for Audit Scotland to be called in to do investigations and reviews of university finances, but I think that that should be baked into the system. It could supplement the work that the SFC already does; it does not have to duplicate that work—it can add on top.

Colleges are able to raise finance from other sources and they are involved in various other activities, similar to what universities do, so I do not quite see the difference between what universities provide and what colleges do. Colleges are investigated and reviewed by Audit Scotland, but the minister seems to think that it is unacceptable for universities to be reviewed in the same way.

It is important that Universities Scotland is the body that is asking for this. It wants that extra scrutiny and investigation into universities' finances so that we can rebuild confidence in those institutions. It has a lot of respect for Audit Scotland and believes that it would add value to that financial sustainability investigation.

I am sorry that Stephen Kerr has sold us short and is prepared to go along with the Government's recommendations.

Ben Macpherson: I thank Willie Rennie for taking the intervention. I have been listening carefully. To be fair to Stephen Kerr, the wording for amendment 50 might have come in an email from my office, but we are grateful for the collaboration that he has shown.

Although I appreciate the intentions of amendment 93 and what Universities Scotland has articulated around it, and I am grateful for the engagement with it, it is important to emphasise that our position is that amendment 50 is far broader in its reach than amendment 93, because amendment 93 is limited to the financial sustainability of further education, higher education, apprenticeships and research, whereas amendment 50 focuses not only on financial sustainability but on performance. That will enable a more meaningful picture of how all the providers are doing and how the funding is providing value for money.

Willie Rennie: This gets worse for Stephen Kerr, because the minister has now said,

"To be fair to Stephen Kerr"—

words that have never been said in the chamber before.

To move on to amendment 92, there was much debate at stage 2 about the powers to scrutinise the financial sustainability of not only the whole sector but individual institutions following the events at the University of Dundee. There was a careful balance to ensure that we did not overreach or threaten the ONS classification of independent charitable organisations. Amendment 92 aims to bring in an extra-robust mechanism to ensure that, if we do launch an investigation into an individual institution such as the University of Dundee, it has to command a majority of the SFC board. I hear what the minister has said but, because it is such a delicate matter that we have debated over the past few years, it is important to build in extra protections to ensure that it is clear that there is no chance that the Government overreaches and dictates how those institutions function.

I understand what the minister has said about amendment 93 and will reflect on his observations when we come to vote, but I hope that he is persuaded by amendment 92 and the need for an extra trigger for the investigation of individual institutions.

Stephen Kerr: I have no credibility left in this Parliament. I have been accused by a Liberal

Democrat of all people of selling out to the SNP Government. I really have landed face first in the mud here, if a Liberal Democrat feels that they can accuse me of compromising with the nationalists. Can anyone remind me who voted for the budget? I think that it might have been Alex Cole-Hamilton of the Liberal Democrats who claimed that they had saved the planet because they had voted for the SNP budget.

We are late in the fifth year of the sixth session of the Scottish Parliament, so I have lived long enough to hear an SNP minister recommend to SNP members that they vote for Stephen Kerr's amendment. It was a great moment, I can tell you. However, he let the cat out of the bag by revealing that he had crafted the words on the back of my very skilful amendment and then honed them even further. I am losing credibility and losing friends, and I have well and truly fallen.

However, there are serious points here. It is important that we have adequate reporting. I accept the arguments of my colleagues Miles Briggs and Willie Rennie, although we have at least got the Government to agree to some form of reporting, which is a form of progress in and of itself, because amendment 50 comes off the back of there being no required reporting mechanism in the bill. The fact is that the Scottish Funding Council will no longer just fund further education and higher education; it will also sit at the centre of apprenticeships and work-based learning, which is a major shift, and funding goes with that.

Let me reclaim my credibility with a statement—if this was an open session, I would ask members whether they knew who said it, although I think that members on this side will know exactly who said it. It is this:

"If the state wishes to spend more, it can do so only by borrowing your savings or by taxing you more. It is no good thinking that someone else will pay—that 'someone else' is you. There is no such thing as public money; there is only taxpayers' money."

I think that members might have guessed who that was—Margaret Thatcher. It is absolutely the truth. It is axiomatic that the Government does not have any money of its own. It borrows money from the public or takes money from the pockets of the public. Is someone intervening to debate whether Margaret Thatcher said that? No, I do not think that they are.

The reality is that it is important that there is transparency and accountability. There is precious little of that in the minds of ministers who come to this Parliament, introduce bills and generally address it. Transparency and accountability require us to have more information. Although I expect that agreeing to only my amendment is not entirely what Willie Rennie and Miles Briggs would like, it is something. This will damn Ben Macpherson's career for ever, but I put on record my thanks to him for the way in which he has engaged with me on amendment 50.

I began my remarks on my amendments today by saying that Ben Macpherson picked up a guddle of a bill. I still think that it is a guddle of a bill, but I do not doubt the sincerity of Ben Macpherson's intentions and the seriousness with which he has gone about trying to make something out of the bill. I still do not think that it is much of a bill, but Ben Macpherson's willingness to engage constructively and to have an open door to Opposition members in consideration of our amendments is to his credit as a minister. That deserves to be acknowledged.

That, in my view, is the way to make good legislation. The bill will not be good legislation—I hate to disappoint the minister—but it will at least be an improvement on where it might have been had he not assumed office.

If public bodies are to be trusted with billions of taxpayers' pounds and with responsibility for shaping Scotland's future workforce, Parliament is entitled to clear, regular and intelligible reporting on how well the system is holding up. It is not about second-guessing operational decisions; it is about ensuring that risks are visible, that performance is measurable and that ministers and the Scottish Funding Council can be held to account in an informed way. That is why amendment 50 matters; it is why any amendment on reporting matters—because of the pressures that are already facing colleges, training providers and universities. None of the issues is hidden from the gaze of the Parliament or, indeed, the public.

Financial sustainability in FE, HE, apprenticeships and training is not an abstract concern. Colleges Scotland, for example, has repeatedly highlighted its difficulties in managing money that has, in its words, been subject to at least

"a 20% real terms cut"

over the course of this parliamentary session.

In short, amendment 50 strengthens the bill without burdening it, it supports better decision making in my view, it respects institutional autonomy while reinforcing accountability, and it fundamentally gives Parliament the information that it needs to do its job properly.

I will double down on my appreciation for the way in which the minister has engaged. I hope that colleagues across the chamber will support amendment 50, even though it has a rather mangled and interesting history, to give us a system that is somewhat more resilient and more transparent over time.

The Deputy Presiding Officer (Liam McArthur): I invite Miles Briggs to wind up and to press or withdraw amendment 89.

Miles Briggs: For a minute there, given Mr Kerr's Machiavellian nature, I thought that he did not even intend to move the amendment in his name. Luckily, our standing orders would have given the minister the opportunity to do that.

This set of amendments provides for a health check on where the apprenticeship sector is. My amendments specifically address reasons for decreases in publicly funded apprenticeships, and I hope that the minister will consider that point in relation to guidance. I do not think that Mr Kerr's amendment 50 necessarily captures that, but it will be an important issue to consider in the years to come. If apprenticeships are not delivered in some key sectors, we will need to know why that is the case. I hope that the minister will take that point on board.

I do not intend to press amendment 89.

Amendment 89, by agreement, withdrawn.

Amendment 90 moved—[Miles Briggs].

The Deputy Presiding Officer: The question is, that amendment 90 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)

Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 43, Against 72, Abstentions 0.

Amendment 90 disagreed to.

18:30

Amendment 91 moved—[Daniel Johnson].

The Deputy Presiding Officer: The question is, that amendment 91 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)

Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 44, Against 71, Abstentions 0.

Amendment 91 disagreed to.

Section 6A—Requirement to promote proactive publication

Amendments 46 and 47 moved—[Ross Greer]—and agreed to.

Section 8—Recommendations to fundable bodies

Amendments 48 and 49 moved—[Ben Macpherson]—and agreed to.

Section 9—Financial sustainability of post-16 education bodies

Amendment 92 moved—[Willie Rennie].

The Deputy Presiding Officer: The question is, that amendment 92 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Neil Gray: On a point of order, Presiding Officer. I could not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Gray. I will ensure that that is recorded.

Beatrice Wishart (Shetland Islands) (LD): On a point of order, Presiding Officer. I do not know whether my vote counted, but I would have voted yes.

The Deputy Presiding Officer: Thank you. I will make sure that that is recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)

Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 68, Abstentions 0.

Amendment 92 disagreed to.

After section 9

Amendment 93 moved—[Willie Rennie].

The Deputy Presiding Officer: The question is, that amendment 93 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Simpson, Graham (Central Scotland) (Reform)
Smith, Liz (Mid Scotland and Fife) (Con)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 68, Abstentions 0.

Amendment 93 disagreed to.

Section 10—Guidance to fundable bodies

Amendment 5 not moved.

After section 10

Amendment 50 moved—[Stephen Kerr]—and agreed to.

Section 11—Support of learners' needs and knowledge exchange in exercise of functions

The Deputy Presiding Officer: Group 12 is on the exercise of the council's functions. Amendment 51, in the name of Jackie Dunbar, is grouped with amendments 52 to 60.

Jackie Dunbar (Aberdeen Donside) (SNP): I am pleased to have lodged two amendments that will ensure that regional and local needs can be considered and built into SFC activity in relation to skills planning and delivery. [*Interruption*.] Does Evelyn Tweed want to intervene?

The Deputy Presiding Officer: I do not think so, Ms Dunbar. You may continue.

Jackie Dunbar: Section 20 of the 2005 act requires the SFC, in exercising all its functions, to:

"have regard to—

(a) skills needs in Scotland;

(b) issues affecting the economy of Scotland; and

(c) social and cultural issues in Scotland."

Amendments 51 and 56 in my name seek to expand that requirement so that all the matters must also include consideration of issues

"in different localities within Scotland"

to take account of geographical diversity across the country.

Speaking as an Aberdonian and an MSP for Aberdeen, such provision is particularly important for my locality. Aberdeen has specific skills strengths and needs in relation to the energy industry, which is facing significant transition and change regarding the skills that employers will need in the future. My amendments therefore represent common sense and will strengthen the role and functions of the SFC in this important area. I encourage members to support my amendments 51 and 56.

I move amendment 51.

Ben Macpherson: Jackie Dunbar's amendments 51 and 56, along with my amendments 52 to 55 and 59, will address the amendments that Pam Duncan-Glancy, Stephen Kerr and Miles Briggs lodged at stage 2.

My amendments 52 and 59 will move the provision that requires the SFC

"to have regard to the economic, social and environmental priorities of the Scottish Ministers"

to a more logical place in section 20 of the 2005 act.

Amendments 53 to 55, also in my name, will separate out the discrete issues of having

"regard to the desirability of protecting and promoting the interests of current and prospective learners"

on the one hand and promoting fair work principles on the other.

Members will recall that, through my amendment 48 in the previous group, as well as amendment 55 in this group, the bill will now use the term "fair work principles" instead of "Fair Work First", thereby keeping the bill consistent with other legislation and current Government policy and leaving it flexible to future policy development.

My amendment 57 will enable the Scottish ministers to issue a direction to the SFC setting out what is meant by "fair work principles" under the bill. That means that the application of fair work principles can be adapted from time to time

as might be needed to ensure consistency with general Government policy as it might develop. It will also ensure that such direction can be specific to the context of the SFC in carrying out its functions. Amendment 57 will require ministers to consult the SFC before issuing the direction. They must also consult

"employees of any bodies or persons"

that are funded by the SFC.

Fair work is a key policy priority for the Scottish Government. I recognise and value the substantial commitment that our universities and colleges have already made to progressing and promoting fair work, which means that there is a strong foundation for continued progress and success.

I know that some members were frustrated by not being able to go as far as they, or I, would have liked to with regard to setting out our expectations around fair work in the bill. That is, as a matter of fact, because employment law matters are reserved to Westminster, and this Parliament is restricted in what it can do in that area.

However, last week, I was pleased to announce that, as a matter of policy and administrative practice, colleges and universities will be expected to adopt all fair work first criteria and the SFC will look to include those as a condition of grant from April 2027. It has been good to work with Ross Greer and the Scottish Green Party on those aspects.

Amendment 58, from Stephen Kerr, would also amend section 20 of the 2005 act. Subsection (1)(a) currently requires the SFC, in

"exercising its functions … to have regard to … skills needs in Scotland".

Amendment 58 would replace that with a requirement for the SFC instead to have regard to

"employer demand, labour market shortages and skills needs at national and regional levels in Scotland".

I am afraid that I cannot support that proposed change, as it would cut across the intention of both the existing provisions in section 20 and Jackie Dunbar's proposed amendments to it. Jackie Dunbar's amendments would extend the requirement to include consideration of regional and local variations as well as skills and the economy, thereby encompassing Stephen Kerr's concerns, so I hope that he will be content with those amendments.

Miles Briggs: I welcome the amendments that the minister has lodged in this group. However, I am concerned about the definition of "localities", as mentioned in Jackie Dunbar's amendments, and what that would actually include. In the minister's view, would it cover localities at local authority level, regional city deal level, chamber of commerce level or all of the above?

There is no definition of "localities" in the bill. Given the regional approach that we often talk about and what is included in Stephen Kerr's amendment 58, why would the Government not support Mr Kerr's amendment?

Ben Macpherson: I appreciate the point that Miles Briggs has raised.

When we were drafting the amendments together with Jackie Dunbar, we thought carefully about the definitions, as we did with all the amendments on which the Government has worked with members. We worked with Jackie Dunbar on those amendments, and the use of the word "localities" was also considered as part of our legal evaluation of amendments–

Miles Briggs: The Government has said that the islands bill will cut across all legislation. Is that aspect captured in the term "localities"?

Ben Macpherson: Sorry—I did not understand Miles Briggs's question, and whether it relates to the islands bill or to this bill. He might want to intervene and elaborate.

Miles Briggs: When an individual island and its specific development needs are being looked at as part of the islands bill, would the minister see that as a locality, if the bill before us will now include a reference to "localities"? I am not sure that it is islands bill proofed if there is no definition.

Ben Macpherson: I am happy to come back to Miles Briggs on that point.

I will just say clearly that the interplay between other acts and what is in this bill and in the amendments has been thoroughly considered prior to the stage 3 debate. I am confident that amendment 56, in the name of Jackie Dunbar, as it is currently drafted, is competent and will be able to be used for the common good of different areas of Scotland in the way that is envisaged.

I will move on. I had just got to the point of talking about Stephen Kerr's amendment 58 and Jackie Dunbar's amendments. On the basis of what I set out prior to Miles Briggs intervening on me, I ask that Stephen Kerr does not press his amendment 58, but, if he does so, I urge other members to vote against it. However, I invite members to vote for all my amendments and Jackie Dunbar's amendments 51 and 56 in group 12.

Stephen Kerr: I intend to press amendment 58 because, to be frank, it attempts—again—to anchor the bill firmly in the real economy. There are further amendments that come into line with what Miles Briggs talked about in his intervention on the minister.

As the Scottish Funding Council takes on an expanded role, there is a risk—not theoretical but practical—that decision making drifts inward, towards process, structures and internal coherence, and away from the people who ultimately make the system work, who are the employers.

18:45

Amendment 58 seeks to require the council, when exercising its functions, to have explicit regard to Scotland's employers. That matters, because employers are not an optional stakeholder in skills policy. They are the end users of the system. They create the jobs; invest in training; take on apprentices; and translate skills into productivity, wages and growth. If we get that relationship wrong, the consequences are predictable: we end up with qualifications that look impressive but do not align with demand.

Perhaps we already have too much of that in our economy. We see apprenticeships that are well intentioned but poorly matched to the labour market. That is an unwanted consequence of not rooting the system in the real economy and we will perpetuate the gap between education policy and economic reality that Scotland has struggled with for years. That was part of the purpose behind the review on post-school education and training, which was supposed to create a brand-new world. The bill does not do that.

Amendment 58 is about closing the gap between the world of rarefied theory and the reality of where jobs are. From my perspective, this is simply common sense. Economic growth and economic activity do not happen by accident. They happen when education and skills policy are aligned with enterprise, innovation and investment. That alignment works only if employers are consistently and consciously factored in to how decisions are made. I stress that amendment 58 would not elevate employers above learners, colleges or providers. It would not hand veto powers to business interests—that would be ridiculous. It seeks to ensure that, when the council is making decisions about funding priorities or delivery models, it considers how those decisions land in the workplace. That is what amendment 58 is all about.

Amendment 58 also complements other changes in the bill—at least, the amendments that I have previously lodged. We have already agreed that employers should be involved in apprenticeship frameworks and labour market assessments, even though they will not be writ large in the bill. The amendment seeks to ensure that that mindset does not stop at apprenticeships but runs through how the council exercises its functions more broadly.

Amendment 58 is modest, reasonable and grounded in reality. It would strengthen the bill without complicating it and would help to ensure that the expanded powers of the council are exercised with a clear, unimpeded line of sight to economic need and opportunity. For those reasons, I will move the amendment in due course and ask that colleagues support it.

The Deputy Presiding Officer: I call Jackie Dunbar to wind up and to press or withdraw amendment 51.

Jackie Dunbar: I welcome the minister's amendments, which take us as far as we can go on fair work with our devolved powers. I understand the points that Stephen Kerr is making, but his amendment would narrow the functions of the SFC and unhelpfully limit the purpose of post-school training in education. Ensuring that it meets the needs of our economy is hugely important, but education cannot become that transactional. There is a strong need to support the wider societal benefits of post-16 training, education and skills development. I therefore cannot support Stephen Kerr's amendment 58.

I press amendment 51.

Amendment 51 agreed to.

Amendments 52 to 55 moved—[Ben Macpherson]—and agreed to.

Amendment 56 moved—[Jackie Dunbar]—and agreed to.

Amendment 57 moved—[Ben Macpherson]—and agreed to.

Section 12—Consideration of skills needs and socio-economic issues

Amendment 58 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 58 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)

Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 46, Against 72, Abstentions 0.

Amendment 58 disagreed to.

Section 12A—Council to have regard to particular matters

Amendment 59 moved—[Ben Macpherson]—and agreed to.

Section 12B—Consultation and collaboration with employers of Scottish apprentices and training providers

Amendment 60 moved—[Ben Macpherson]—and agreed to.

Section 12C—Widening access to fundable further and higher education: sharing of information

Amendment 61 moved—[Ben Macpherson]—and agreed to.

After section 14

The Deputy Presiding Officer: Group 13 is on membership of the council. Amendment 94, in the name of Willie Rennie, is grouped with amendments 94A, 95, 96, 62, 63 and 97.

Amendments 95 and 96 are direct alternatives, so they can both be moved and decided on. The text of whichever is the last agreed to will appear in the bill.

Willie Rennie: This group of amendments is about membership of the Scottish Funding Council. They seek to address directly the widespread concerns that exist in the business community and among employers about the abolition of the Scottish apprenticeship advisory board and the change from Skills Development Scotland, with which many employers had a good working relationship. I have therefore lodged amendments that seek to put in place two or three members of the council who are employers and who have experience in the apprenticeships space.

Daniel Johnson: I recognise that the amendments seek a step forward in ensuring that there is an employer voice. The member noted the function of SDS, which was able to reflect a broader range of industry concerns across a wider board and come up with solutions. Does he recognise that we would essentially be reducing that to just two or three members of a much wider board? There is a risk that we would lose that direct employer and industry voice in shaping how apprenticeships and skills are delivered and conceived.

Willie Rennie: We will address some of that in the final debate, because it affects the whole of the bill and its purpose and value, whether it be value for money or delivering the effect as desired by the Withers review. As the member has said, this is a step in the right direction.

I hope that the Government is able to accept my amendment, which seeks to make at least two members of the Funding Council employers, in order to guarantee that strong voice in the council and to ensure that some of these concerns are addressed.

Amendment 97 seeks to ensure that ministers "have regard to" making sure that a suitable person to chair the apprenticeship committee is appointed to the Funding Council—that is, someone who has knowledge of and expertise in business but who also has the experience of employing apprentices. That person would be appointed to the Funding Council with a view to their potentially being the chair of the apprenticeship committee. The amendment is connected with amendment 109, in the next group, which relates to the employment and appointment of the chair of the apprenticeship committee.

Ross Greer: I have sympathy with the member's broad intention and what he is trying to do, and the Greens will certainly support amendment 94 to ensure that employers have that voice. What I am struggling with in amendment 97—and I would appreciate the member clarifying exactly his intention here—is that it reads to me that the chair would have to come from a business background, which would preclude, say, an experienced former college principal chairing the apprenticeship committee. Is the member's intention that the chair has to come from a business background? I certainly think that there is value in having people from that background—indeed, it is essential to have them on the committee—but I feel that it is needlessly restrictive to say that the chair must come from a particular background when other individuals would have a lot to contribute in that role.

Willie Rennie: The amendment is slightly looser than that, because the phrase used is "have regard to". However, I do think that, at least in the first instance, the chair should be an employer—that is, someone from business or someone who has taken on a lot of apprentices—to give, if nothing else, confidence to the business community, which is doubting whether there is any real value in this bill. It needs to be convinced that the new Funding Council—the new arrangement—actually understands the needs of employers and business, to ensure that apprentices do not get lost in the Funding Council apparatus. As we know, the Funding Council has not had its troubles to seek in recent years, so we need to ensure that apprenticeships are a central part of what it does, that there is confidence in the wider community and that apprenticeships have an important place in the education and training landscape in Scotland. The amendment is a bit looser than the member has suggested, but I would say that, in the first instance, the chair of the apprenticeship committee should be somebody from that background, in order to build confidence.

I think that this feeds into wider concerns, because we need a Funding Council that is seen to be part of the business community. However, its very name does not reflect the apprenticeship role that it is about to take on. I hope that the council can reflect that and communicate to the hundreds—indeed, thousands—of employers across the country that this is their body and that it will be dealing with their apprentices, to ensure that their training needs are met for the future.

I move amendment 94.

Ben Macpherson: This is a really important group of amendments, and I am grateful to colleagues who have lodged amendments in it.

My amendments 62 and 63 respond directly to amendments lodged by Pam Duncan-Glancy, Daniel Johnson, Ross Greer and Miles Briggs at stage 2 on who should be appointed to the SFC. I acknowledged the intention behind those amendments at stage 2 and that it was helpful to

have pointers to what we, as ministers, should consider when appointing SFC members. However, I said at the time that it would not normally be helpful for legislation to bind ministers' decisions in that regard.

That said, I have carefully considered the matter since stage 2 and have arrived at what I think—and hope—is a balanced list of persons that ministers shall, and should, consider. The list includes persons who are representative of learners, employees of the SFC and employees of any bodies or persons receiving payments from the SFC. I would emphasise that the amendments are framed with the phrase

"have regard to the desirability of".

As a result, ministers are not required to appoint individuals who meet those specific criteria; instead, they are to take those criteria into account alongside the full skills matrix of the members of the SFC.

The members of the SFC will make decisions collectively, with each member contributing their own skills and experience. We must not lose sight of the need to ensure that the SFC has sufficient expertise in key areas to meet its governance requirements. Of course, those might well be met by candidates who also represent the key interests that are listed in amendments 62 and 63.

19:00

Willie Rennie's amendment 97 complements my amendments in the group in that it makes provision about consideration of the "skills, knowledge or experience" of individuals who are appropriate to chair the apprenticeship committee. That amendment sits well with Willie Rennie's amendment 109 in the next group, which requires the Scottish ministers to provide the SFC with guidance on appointment of the chair of the apprenticeship committee.

The 2005 act requires the SFC to include at least 11 members and up to 14 members, as well as a chair and the chief executive. Willie Rennie's amendments 95 and 96 seek to increase the maximum number of members that ministers may appoint to the SFC to 15 or 16. They would not require that number of members, but they allow for a larger governing body. Given that the SFC will be taking on significant new responsibilities for apprenticeships and work-based learning, I support increasing the maximum number to 16 and will therefore support amendment 96.

Willie Rennie's amendment 94 notably departs from the approach that is taken in the 2005 act and the bill, as it provides that ministers

"must include at least 2 members who appear to the Scottish Ministers to represent the interests of employers".

It is important to note that it would be "at least" two members, because it could well end up being the case that many other members of the board would have experience of business.

I can see why Willie Rennie lodged amendment 94. I know that some employers are concerned about the SFC taking on the responsibilities and what it will mean for apprenticeships. I have engaged with a number of employers and employer bodies, and the business community more generally, since stage 1, and I want to do all that I can to give employers and businesses confidence in the new arrangements. Amendment 96 will create the possibility of additional capacity by allowing for a further two members of the SFC. In that context, I am content to support amendment 94 alongside amendment 96.

Amendment 94A would increase the employer representation from two members to three. I think that that would go too far given that there might be only 11 other members on the SFC.

I ask Willie Rennie not to move his amendments 94A and 95. If he moves them, I encourage members to vote against them. However, I am very supportive of his amendments 94, 96 and 97, and I urge Parliament to vote for them. I also urge Parliament to vote for my amendments 62 and 63.

The Deputy Presiding Officer (Annabelle Ewing): I call Willie Rennie to wind up and to press or withdraw amendment 94A.

Willie Rennie: I have nothing further to add.

Amendment 94A, by agreement, withdrawn.

Amendment 94 agreed to.

The Deputy Presiding Officer: I remind members that amendments 95 and 96 are direct alternatives. The text of whichever is the last to be agreed to will appear in the bill.

Amendment 95 not moved.

Amendment 96 moved—[Willie Rennie]—and agreed to.

Section 15—Skills and experience of members of the Council

Amendments 62 and 63 moved—[Ben Macpherson]—and agreed to.

Amendment 97 moved—[Willie Rennie].

The Deputy Presiding Officer: The question is, that amendment 97 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Claire Baker (Mid Scotland and Fife) (Lab): On a point of order, Presiding Officer. My app did not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Baker. Your vote will be recorded.

Davy Russell: On a point of order, Presiding Officer. My app did not connect either. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Russell. Your vote will be recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Baker, Claire (Mid Scotland and Fife) (Lab)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dowey, Sharon (South Scotland) (Con)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
Findlay, Russell (West Scotland) (Con)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Grant, Rhoda (Highlands and Islands) (Lab)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Harper, Emma (South Scotland) (SNP)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hoy, Craig (South Scotland) (Con)
Hyslop, Fiona (Linlithgow) (SNP)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Kidd, Bill (Glasgow Anniesland) (SNP)
Leonard, Richard (Central Scotland) (Lab)
Lochhead, Richard (Moray) (SNP)
Lumsden, Douglas (North East Scotland) (Con)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Marra, Michael (North East Scotland) (Lab)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McCall, Roz (Mid Scotland and Fife) (Con)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
McNeill, Pauline (Glasgow) (Lab)
Minto, Jenni (Argyll and Bute) (SNP)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
O'Kane, Paul (West Scotland) (Lab)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Sweeney, Paul (Glasgow) (Lab)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Whittle, Brian (South Scotland) (Con)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Burgess, Ariane (Highlands and Islands) (Green)
Chapman, Maggie (North East Scotland) (Green)
Greer, Ross (West Scotland) (Green)
Harvie, Patrick (Glasgow) (Green)
Mackay, Gillian (Central Scotland) (Green)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Torrance, David (Kirkcaldy) (SNP)

The Deputy Presiding Officer: The result of the division is: For 108, Against 8, Abstentions 0.

Amendment 97 agreed to.

Section 17—Apprenticeship committee

The Deputy Presiding Officer: Group 14 is on apprenticeship and skills committees and boards. Amendment 98, in the name of Willie Rennie, is grouped with amendments 99 to 104, 64 to 69 and 105 to 112.

Willie Rennie: These amendments are all designed to strengthen the authority of the apprenticeship committee. Members will recall from my previous contribution that many businesses and employers are concerned about the abolition of SAAB. My amendments would effectively bring additional powers to the apprenticeship committee and would almost replicate the powers of the advisory body that many employers and businesses so deeply respect.

I will quickly run through a number of my amendments. I hope that the Government will support some, although I know that it will not support others.

Amendment 99 aims to direct rather than just advise the council, which would give the apprenticeship committee real authority to ensure that it is setting policy rather than being subservient to the Funding Council.

Amendment 100 would bring "work-based learning" into the remit of the apprenticeship committee. For example, that would ensure that the whole area of foundation apprenticeships would come under consideration by the committee.

Amendment 102 would require more than half of the committee to be employers of apprentices or to come from that space, and amendment 103 would ensure that the chair has "experience of employing apprentices".

Amendment 104, which I hope the Government will be able to support, would require the Scottish Funding Council to ensure that the representatives on the apprenticeship committee have an understanding in the apprenticeships space.

Amendment 106 is important with regard to the concerns from Universities Scotland. Graduate apprenticeships often do not get the focus, attention or time that modern apprenticeships have had under the current arrangements. Universities are concerned to ensure that the system is smooth and fast and that it runs well, so that the new frameworks that we were discussing earlier can be generated swiftly, in contrast with the slow and bureaucratic process that we had previously.

Amendment 109 would require the minister to issue guidance with regard to

"the appointment of the chair of the committee".

Those are my amendments. I look forward to our discussion and hope that Parliament is able to support them.

I move amendment 98.

Ross Greer: Amendments 64 and 65, in my name, make a technical but important adjustment to trade union representation on the apprenticeship committee. The change in wording will ensure that the SFC has regard to the desirability of appointing a person who is representative of all trade unions for apprentices, rather than the person representing a particular trade union. It would not be practical for every trade union to be represented in person on the committee, given the cap on its overall size, but it is important that a trade union voice is represented. My amendments simply clarify that position.

Ben Macpherson: I ask members to forgive me, because I have quite a bit to say about the amendments in this group.

First, I will speak about my amendments 66 to 68. Amendment 66 is a technical amendment that ensures that references to apprentices in the bill are consistent with those in the 2005 act.

Amendments 67 and 68 respond to stage 2 amendments that sought to influence the constitution and role of the apprenticeship committee. My amendments make it clear that the SFC must consult representatives of apprentices, their employers and "such other persons" as the SFC considers appropriate when appointing members to the committee. It is absolutely right that appointments to the committee are informed by the views of the two paramount stakeholders—apprentices and their employers—and other parties that the SFC determines to be relevant in the circumstances. I hope that colleagues will support those amendments.

On the question about who should be appointed to the apprenticeship committee, the bill does not mandate a particular composition, but the SFC is required to have regard to the desirability of including particular persons. At stage 2, a number of members wanted a clear focus on businesses, industry and employers, and Pam Duncan-Glancy highlighted the importance of apprentices themselves. However, I could not support those stage 2 amendments, because they would have unduly constrained the SFC in making appointments to the apprenticeship committee. We need its membership to be able to flex and evolve to align with the apprenticeship programme, and we do not know how priorities might change in the future. Prescribing membership in the bill would mean that it could not change to meet emerging needs and interests.

However, I absolutely understand the desire to ensure that the apprenticeship committee's membership broadly reflects those specific interests in its work, as we discussed at stage 2. Therefore, I am pleased to support Willie Rennie's amendment 104, which requires the SFC to consider appointing apprentices or their representatives to sit on the apprenticeship committee. It also makes provision for consideration of business representatives, including those of small and rural businesses with an interest in apprenticeships, which is important. The amendment responds proportionately to members' concerns at stage 2. The apprenticeship committee should take account of the diverse needs of apprentices and businesses across the whole of Scotland, and it should support small businesses, which are crucial to our economy now and to our future economic prosperity.

Willie Rennie's amendment 109 would require the Scottish ministers to give the SFC guidance on the appointment of the chair of the apprenticeship committee. Given the essential importance of that appointment, as members emphasised at stage 2, I am pleased to support the amendment. Given that ministers are responsible for appointing members of the council, and the chair must be a council member, it makes sense for ministers to give guidance to the SFC on that appointment. Amendment 109 also works well with Willie Rennie's amendment 97, in group 13, which has been agreed to.

I am also pleased to support Ross Greer's amendments 64 and 65, which improve considerations relating to trade union representation on the apprenticeship committee by making it clear that the SFC must consider appropriate trade union representation.

In relation to the committee's remit, I am grateful to Willie Rennie for lodging amendment 100. As he said, through work-based learning, the bill makes provision for what are currently foundation apprenticeships. As he explained, it makes sense for the apprenticeship committee to consider both apprenticeships and work-based learning in the round. That will help to ensure that there are no disconnects between those different pathways, and it elevates the status of work-based learning. I am pleased to support amendment 100.

19:15

Unfortunately, I cannot support the remaining amendments in group 14, and I will now set out why. Willie Rennie's amendment 99 would make the committee responsible for directing the SFC on matters relating to apprenticeships. That is not appropriate, as the SFC must retain overall statutory responsibility for exercising its functions, including those in respect of apprenticeships.

Willie Rennie's amendments 98 and 101 would add to the remit of the apprenticeship committee, with the effect that it would be responsible for

"determining the requirements of a Scottish apprenticeship in respect of different occupations or activities".

That is similarly problematic. The SFC as a whole is responsible for the apprenticeship functions. The SFC needs to be able to comply with its duties in legislation, including the mandatory requirements to have regard to certain views and to follow any regulations on procedure. The apprenticeship committee has a crucial advisory role, but it should not directly determine those matters.

Amendment 102, in the name of Willie Rennie, would add a requirement that more than one half of the members of the apprenticeship committee must have experience of employing apprentices and have a background in industry. That would fetter the discretion of the SFC in appointing the committee and ministers in issuing their guidance.

The apprenticeship committee will be responsible for advising on modern and graduate apprenticeships, and if amendment 100 were to be agreed to this evening, also workplace learning. The SFC must be able to appoint the right mix of skills and experience to the committee to reflect those different responsibilities.

Mr Rennie may be right that more than half the members of the committee should have that experience and background, particularly in the early days of the apprenticeship committee's inception. However, it might not be appropriate for the committee to have that balance of membership in perpetuity. Prescribing the balance in law would therefore restrict the evolution of the new arrangements and of the apprenticeship committee.

Willie Rennie's amendment 103 would require the person appointed to chair the apprenticeship committee to have experience of employing apprentices and have a background in industry. However, amendment 97, which was considered in group 13, and amendment 109, address those same concerns. Amendment 97 requires the Scottish ministers

"to have regard to the desirability"

of appointing persons to the council with those skills, and amendment 109 requires the Scottish ministers to give the SFC guidance on whom to appoint to be chair of the apprenticeship committee. Amendment 103 is therefore unnecessary, and I ask Mr Rennie not to press it for the reasons that I have set out.

Stephen Kerr's amendment 69 is familiar from stage 2. It would require the apprenticeship committee to have at least 20 members, which is

unhelpfully limiting and prescriptive, in my view, particularly when we have no experience of the apprenticeship committee operating yet. There is a balance to be struck regarding the size of the apprenticeship committee—or any committee, for that matter. If it has too few members, it will not have a sufficient range of desirable views, skills and experience, and if it has too many members, it will be costly and hard to manage, even with regard to simple things such as finding mutually convenient dates for meetings. We need to be cognisant of all that.

I move on to sub-committees of the apprenticeship committee. A number of amendments seek to create statutory sub-committees of the apprenticeship committee. That may be desirable, but it would be unhelpful for similar reasons to those that have already been set out. I do not think that it is desirable to prescribe such an approach in law and to remove discretion from the SFC and, indeed, the apprenticeship committee. That applies to Daniel Johnson's amendment 105 and his consequential amendments 107 and 110, and it also applies to Willie Rennie's amendments 106, 108 and 111.

Amendments 106, 108 and 111 would require the SFC to establish a sub-committee of the apprenticeship committee with responsibility for considering issues related to graduate apprenticeships. Willie Rennie is right to highlight some issues with graduate apprenticeship delivery, which we are already working to fix before the bill comes into force, and which the bill will further assist with.

We certainly need the process of developing graduate apprenticeship frameworks to be more efficient, and frameworks absolutely need to be shorter and simpler, as I have said today. The bill gives any person the power to request a framework to be prepared, and ministers can set out in regulations the process to be followed by the SFC in response. We could use those regulations to set out the process and timescales for developing and producing frameworks in future, as I have already stated.

Separating out consideration of graduate apprenticeships from other apprenticeships and work-based learning would be potentially counterproductive to the shared aim of simplifying structures and making things more cohesive around all types of apprenticeships. Moreover, there will be nothing to prevent the SFC or the apprenticeship committee from establishing sub-committees in the future with an appropriate remit, should it deem that to be necessary, including to undertake specific work around graduate apprenticeships. We do not need to include in the bill a power to create a sub-committee on graduate apprenticeships. The SFC and the apprenticeship committee, at their discretion, could create one in the future if they wished to.

Therefore, I ask members to support my amendments 66 to 68, Ross Greer's amendments 64 and 65, and Willie Rennie's amendments 100, 104 and 109. I hope that the arguments that I have set out reassure and convince Willie Rennie not to move his amendments 98, 99, 101 to 103, 106, 108 and 111. I similarly ask Daniel Johnson not to move his amendments 105, 107 and 110, and Stephen Kerr not to move his amendments 69 and 112. If any of those amendments are moved, I ask members to vote against them.

Stephen Kerr: I do not think that the minister gave a reason for why he thought that regional skills committees were a bad idea. I did not hear a reason in his response to the amendments and I do not think that I missed it—I think that it was not given.

We previously discussed the issues to which my amendment 69 relates. The reasons why I am keen that there should be some indication of the size and composition of the apprenticeship committee are the same reasons that Willie Rennie gave. I have been around long enough to have seen a situation before where a well-intended committee is set-up, with some kind of structure and the best of intentions, but over time employer or private sector involvement in it diminishes to the point where it becomes dominated by one member—namely, a public sector or trade union representative. For me, the most startling example of that has been the experience of the committees that were set up around the city region deals, with the consequential changes that have taken place in those over time. Because of the nature of those committees' work and the way that they are run, gradually people opt not to be part of them. That is why addressing such matters in the bill, as Willie Rennie and I have both proposed, makes a lot of sense.

I wanted there to be a minimum of 20 members on the committee, which I know sounds like a lot for a committee, because a breadth of experience is needed, and so are numbers. I heard the minister say earlier that there will be 11 members on the SFC and two will be employers. That seems totally underrepresentative of the real world and the real economy. At the end of the day, this is all about education and training for a purpose, which is to do with making our country more prosperous. I think that the minister is making a mistake by dismissing the idea of setting the number and composition of the apprenticeship committee.

I want to say something more about amendment 112, which, as I said, I do not think the minister said anything about. The reason for the

amendment relates to the nature of Scotland's economy, which is recognised in basic things such as the number of enterprise agencies. We have one enterprise agency for the Highlands and Islands, one called Scottish Enterprise and one for the south of Scotland. Why do we have three? One could argue that we should have more, or fewer. The reality is that we have three because we acknowledge that there is a difference in the nature of the economy in different parts of Scotland. The economic activity that occurs in different parts of Scotland is not homogenous.

We can design national structures, national committees and national priorities, but the truth is that skills are delivered locally. Labour markets are local, and employers recruit locally. The reason for the focus of amendment 112 is that colleges serve real places with specific economic strengths and weaknesses. If the system does not properly recognise that, it will never quite line up with reality. Over the past few years, and particularly in the current Government's lifetime, there has been a propensity for things to be centralised and become national rather than there being a focus on the regions. Amendment 112 is about the role and importance of regional skills boards and making sure that they are not treated as peripheral or decorative. Those boards would be where national ambition meets local economic reality.

Ben Macpherson: I apologise that I did not cover the member's amendment 112 in my remarks. If it is helpful, I point out that the member lodged a similar amendment at stage 2—amendment 194. Unfortunately, amendment 112 runs counter to simplification and recent changes to remove regional strategic bodies that were considered unhelpfully bureaucratic in regional college provision, for example in Glasgow and Lanarkshire.

Also, with respect, amendment 112 is unclear on how the proposed boards would interact with the apprenticeship and skills committees, with which they would be likely to come into conflict, given their overlapping roles. I refer the member to my amendment 10, which we debated in an earlier group, and which relates to how the strategy will consider regional needs and nuances. That is the right place to consider those points. Jackie Dunbar's amendments that we considered in the previous group also relate to local issues and matters.

Stephen Kerr: The problem that I have with all that is the same one that I raised with the minister earlier. I do not want to be picky about words, but they matter—they convey what we mean. The minister talked earlier about efficiency, and I talked about effectiveness, but those are not necessarily the same thing. Similarly, when he uses the word "simplification", I kind of shudder, because it suggests to me a one-size-fits-all approach. I think that we have enough of a one-size-fits-all mentality in the Government's approach to Scotland. The Government does not seem to recognise the variances that exist, particularly in our economy. What is good in one part of Scotland will not necessarily be appropriate or fit in another part of Scotland, which is why I strongly believe that there is a place for regional skills boards.

I do not know why the minister talked about the bodies in Glasgow and Lanarkshire. Those are not the same as what I am talking about. I am not talking in the context of college regionalisation or structures; I am talking in the context of skills, and I am proposing regional skills boards.

If we draw everything ever more to the national level, whether we like it or not, the simplification and efficiency that the Government talks about become a one-size-fits-all approach. Too often, regional skills intelligence has been gathered, and maybe even discussed, but then quietly ignored at national level when decisions are taken centrally.

I note that some members find great hilarity in this, but I am definitely committed to the concept of devolution. However, the devolution that I want is not a devolution from London to Edinburgh; it is a devolution of powers from Edinburgh to the places where people live in Scotland, because they are all quite different and diverse. That is not recognised enough in the way that we do things here. We try to make a homogeneous Scotland a reality, but it is not a reality.

Amendment 112 is designed to prevent all that. It would strengthen the expectation that the work of regional skills boards should not just be noted or discussed in passing but should actively inform the advice that is given to the various functions of the council. It is not beyond the wit of those involved to ensure that that information is appropriately transmitted without that having to be set out in the bill.

I repeat that this matters because Scotland is not a single labour market. What employers need in different parts of Scotland is diverse, and skills shortages are uneven. We know that that is the case in the public sector—in education, for example—and in other parts of our economy. Opportunities are also uneven across Scotland. If funding and provision do not reflect that, I fear that we will waste money and frustrate employers and learners alike.

19:30

Together, amendments 69 and 112 would push back against the tendency to overcentralise, overinstitutionalise and allow the public sector in Scotland to dominate discussions, which, in

relation to skills, is a particular priority and of particular importance.

This is about effectiveness, respect, the complexity of our country and respect for place. Economic growth does not come from uniformity—it does not work that way. It comes from playing to strengths, supporting local industries and building skills pipelines locally, which is where local businesses do their hiring. That makes sense from the perspective of the local economy.

If the bill is genuinely about building a skills system that supports productivity, opportunity and growth across all of Scotland, regional skills boards must be taken seriously, and amendment 112 would help to ensure that they are.

For those reasons, I hope that colleagues will be open-minded enough to support amendments 69 and 112; I especially draw members' attention to amendment 112.

Daniel Johnson: We should all thank members for bearing with us this evening. This is the penultimate group of amendments, but I think that it is one of the most important.

My critique of the Government's approach to this has been consistent, whether in respect of the current minister or his predecessors. In essence, there is a lack of clarity around the strategy, what it seeks to deliver and, critically, how it will deliver. To get structural change right, we need a strategy and some clarity on what the Government seeks to do.

Equally important, if the Government is to get its strategy right, that must be embodied in the governance correctly, and I fear that it is not getting that right, for a number of reasons. The Scottish Funding Council's track record is not good on employer engagement and being industry led. In the one area of the apprenticeship system and skills system that it has input into or locus over, which is graduate apprenticeships, there has been no expansion, yet we are being asked to believe that, on the basis of there being two members from industry, we will have the industry insight and leadership to drive that forward. I worry that that will be insufficient, because, in my view—

Ben Macpherson *rose*—

Daniel Johnson: I will just finish this point.

In my view, under the strategy as it must be, we need a skills system that is industry led. We do not necessarily know what the Government's intention is, because we do not have the strategy, but, if that is the intent, I do not see how two members on a board of 11 or 14 members can deliver that.

Ben Macpherson: In previous discussions, I have argued that the board size should go up to 14 members. As I said just a few moments ago, it is important to recognise that, although amendments, if agreed to, will stipulate two members from industry, there is nothing to say that other members of the council will not have a business background. Indeed, if we look at the current make-up of the Scottish Funding Council's board, we can see that it includes business experience. That is an important point to emphasise to those who are listening from the business community.

Daniel Johnson: It is critically important, but we also need to look at what the council is being asked to do. To put it in crude terms, we are all familiar with the phrase "follow the money" and, of the funds that the Scottish Funding Council is responsible for, the vast bulk and overwhelming majority is for university and college funding, so the SFC will naturally skew towards focusing on those areas unless structural devices are put in place to prevent that.

I acknowledge that my amendment 105 does not quite do what I would have intended it to do. I wanted to create an apprenticeship board—not just an apprenticeship committee or a body for advice, but, much as Willie Rennie seeks to achieve through some of his amendments, a structural input into the overall SFC. If we had done that, we would have elevated the bill and created a mechanism whereby we could balance the wider responsibilities, but with a much greater emphasis on industrial input to shape and direct skills policy. I sought to create a new body, which would have been called the apprenticeship board, to do just that. Unfortunately, the drafting of my amendment 105 is such that it would set up a sub-committee of the apprenticeship committee, and that was not my intent, which I acknowledge.

However, it is an important point. As long as there is simply a committee to provide advice, we have an issue with the way that the system will work, because of the natural tendency for such things to skew towards the centre of gravity of the overall organisation, especially given that the Funding Council is a pre-existing organisation.

Stephen Kerr made some good points about regional policy. I say that not just because I think that having regional policies is important and not just because the regional aspect of employment was a critical element of the Withers review. We do not really know what the Government thinks about that, but it goes to the very heart of the matter. I accept the broad point from the Government that it is sensible that we have an ability to draw funding together for both tertiary education and the skills system, but there are different ways of doing that. One way might be to pursue a centralised approach, but another way might well have been to pursue a much more regional model in which budget is assigned

directly to regional bodies that could disburse funding at a regional level. However, we have not examined or answered that question, and that lack of strategy from the Government is a fundamental flaw.

At the end of the day, although we can talk about strategies as though they are just papers, I do not believe that they are. Strategies are the embodiment of decision making. We bake them into the structures that we create. By creating a Scottish Funding Council with just two members from a business or industrial background and by having an apprenticeship committee that merely advises and does not have a clear structure around its content, shape or composition, we are setting out a very unclear strategy. The strategy will certainly not be industry led in the way that many people want—they want to see a change in the way that skills are delivered in Scotland, so that there is a much more flexible and responsive approach to changing economic need.

That is why there is a fundamental flaw at the heart of the bill, and why the Government will be making a mistake when it rejects these amendments this afternoon—particularly Willie Rennie's amendments, which I think could make for a better bill.

The Deputy Presiding Officer: I call Willie Rennie to wind up and to press or withdraw amendment 98.

Willie Rennie: The debate on this section has been quite interesting; it has been about whether we have an integrated set of committees and bodies that consider everything in the round, so that we get full integration and are able to deal with big sectors—such as finance, which dominates many regions across the country, not just one region—or a more bespoke approach in which we deal with regions on an individual basis, deal with graduate apprenticeships in a sub-committee, and have an industry committee.

At the heart of an awful lot of this debate is the fear that apprentices will simply be tacked on to the Funding Council. Whenever we get change, everybody looks to protect what they have, rather than perhaps looking to see what the opportunities are for integration. I fully accept that that is the debate that we have all been struggling with. I have certainly been struggling with that, through the process and progress of this bill and the Withers report. I accept that there are benefits from trying to change the way that the Funding Council operates as a whole, not just to deal with apprentices but to consider what learning there is to be gained from apprentices for the college and the university sector, and vice versa. What can the apprenticeship system learn from the way in which those institutions work, and the other way around? All of that is a valid debate to be had.

I worry about sometimes being a bit too prescriptive in the way that we legislate here, when, in fact, as well as some prescription, we should be allowing some degree of flexibility, to allow the new body to evolve over time to meet the new needs of the economy and the skills landscape.

I am pleased that the minister accepts my amendment 109, which deals with the

"appointment of the chair of the committee";

amendment 100, which sets out that advising on "work-based learning" should be part of the committee's remit, so that foundation apprentices are represented; and amendment 104, which would ensure that, when deciding who should be a member of the committee, the council must have regard to representation from business and apprentices. All that is fine.

I hope that the minister has heard all the anxieties in the room, particularly regarding my point on graduate apprenticeships, to ensure that the system is a damn sight swifter than it has been so far, that it is flexible and meets modern needs swiftly, that it is not overly bureaucratic, as it is now, and that the committee's composition reflects the need to include many employers—people who take on apprentices and have direct experience in the current system—while also maintaining the committee's overall authority. I accept that the apprentice committee will be a sub-committee of the Funding Council, which is probably how it will be for accountability purposes, but I hope that the Funding Council fully respects the committee's authority and, more often than not, just accepts what it says. It should not have to rubber stamp what it says, but it should accept almost everything that it says, because that is where the authority should lie. I hope that apprentices understand, engage and debate with the committee but that they understand that it should have the authority to gain the confidence of the business community and ensure that we get the policy right. I hope that the minister listens to all that.

For those reasons, I will not move my amendments in the group, other than amendments 109, 100 and 104, which I will move.

The Deputy Presiding Officer: I take it that you will not press amendment 98.

Willie Rennie: I will not press it.

Amendment 98, by agreement, withdrawn.

Amendment 99 not moved.

Amendment 100 moved—[Willie Rennie]—and agreed to.

Amendments 101 to 103 not moved.

Amendment 104 moved—[Willie Rennie]—and agreed to.

Amendments 64 and 65 moved—[Ross Greer]—and agreed to.

Amendments 66 to 68 moved—[Ben Macpherson]—and agreed to.

Amendment 69 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 69 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

19:45

Davy Russell: On a point of order, Presiding Officer. I could not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Russell. Your vote will be recorded.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Ind)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Greene, Jamie (West Scotland) (LD)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)

Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 69, Abstentions 0.

Amendment 69 disagreed to.

Amendments 105 to 108 not moved.

Amendment 109 moved—[Willie Rennie]—and agreed to.

Amendments 110 and 111 not moved.

After section 17

Amendment 112 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 112 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Ind)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Dowey, Sharon (South Scotland) (Con)
Eagle, Tim (Highlands and Islands) (Con)
Ewing, Fergus (Inverness and Nairn) (Ind)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lumsden, Douglas (North East Scotland) (Con)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
Ross, Douglas (Highlands and Islands) (Con)
Simpson, Graham (Central Scotland) (Reform)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baker, Claire (Mid Scotland and Fife) (Lab)
Boyack, Sarah (Lothian) (Lab)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Duncan-Glancy, Pam (Glasgow) (Lab)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Johnson, Daniel (Edinburgh Southern) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Marra, Michael (North East Scotland) (Lab)
Mochan, Carol (South Scotland) (Lab)
O'Kane, Paul (West Scotland) (Lab)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 31, Against 70, Abstentions 17.

Amendment 112 disagreed to.

Section 17A—Statement on financial implications

The Deputy Presiding Officer: Group 15 is on review of the act and statement on financial implications. Amendment 71, in the name of the minister, is grouped with amendments 72, 73 and 113.

Ben Macpherson: As in previous groups, my amendments 71 to 73 will tidy up Opposition amendments that were agreed to at stage 2. New section 17A will place a requirement on ministers to

"lay before the Scottish Parliament a statement on the financial implications of any transfer of functions arising from this Act."

However, it would not be helpful for that duty to crystallise too early. If the new system is not sufficiently well advanced, such a statement might have little meaningful to report. Amendment 71 will therefore amend the timing of the duty from

"As soon as reasonably practicable after Royal Assent"

to

"Within the period of 1 year"

from the commencement of the section.

Amendment 72 will change the requirement for the statement to be in respect of any transfer of functions, because the transfer from SDS to the SFC will take place administratively, outwith the provisions in the bill. Amendment 72 will replace the current wording with wording that specifies the SFC assuming the new functions that will be conferred on it by sections 3 to 5 of the bill, which concern funding for programmes of training for employment, Scottish apprenticeships and work-based learning.

Amendment 73 will move section 17A to after section 5, which seems a more logical place for it in the order of provisions in the bill, thereby reflecting its clarified scope if amendment 72 is accepted.

I am pleased to support Willie Rennie's amendment 113, which we worked on together. Post-legislative scrutiny is appropriate in principle, and the amendment takes a reasonable and pragmatic approach to that task. Those two words—reasonable and pragmatic—describe Willie Rennie very well, too, if I may say so. I thank him for that.

Members: Aw.

Ben Macpherson: Amendment 113 would require two reviews and reports to be undertaken. The first would be undertaken one year after commencement of the section and the second would be undertaken after five years. That seems sensible. Without claiming to own a crystal ball, we think that that means that the first review could look at how transition to the new system had worked, while the second review could consider how the structural changes that the bill had put in place were making a difference to the sector in practice.

I ask members to support all the amendments in the group.

I move amendment 71.

Willie Rennie: The minister has made me blush, not because of what he said, but because I have sunk even lower than Stephen Kerr in this debate.

Amendment 113 is about post-legislative scrutiny. It seeks to make sure that, if it is passed, the bill as enacted is reviewed after one year or as soon as is reasonable after that period, and again after five years. That is important in the context of the bill, because of the deep-seated concerns that exist among the business community and employers, which we have rehearsed this evening, about the value of making the proposed change.

It is therefore my hope and desire that amendment 113 will enable the post-legislative scrutiny that should be available for all pieces of legislation. It should not be tokenistic. It should be a meaningful process to make sure that we have got the legislation right and that the apprenticeship landscape is fully and properly integrated with the rest of education and training in Scotland—in other words, that we have the one-stop shop that the minister seeks.

I hope that amendment 113 will result in meaningful reviews after one and five years, and a proper review of what we are debating this evening.

Amendment 71 agreed to.

Amendments 72 and 73 moved—[Ben Macpherson]—and agreed to.

After section 17A

Amendments 6 to 8 not moved.

Before section 18

Amendment 9 not moved.

After section 20

Amendment 113 moved—[Willie Rennie]—and agreed to.

Long Title

Amendment 74 moved—[Ben Macpherson]—and agreed to.

The Deputy Presiding Officer: That ends consideration of amendments.

As members will be aware, the Presiding Officer is required under standing orders to decide whether, in her view, any provision of the bill relates to a protected subject matter—that is, whether it modifies the electoral system and franchise of Scottish parliamentary elections. In the case of the Tertiary Education and Training (Funding and Governance) (Scotland) Bill, in the Presiding Officer's view, no provision relates to a protected subject matter. Therefore, the bill does not require a supermajority to be passed at stage 3. [*Interruption*.] I am not sure why there is all this talking. I am not looking at anyone in particular, Alexander Stewart.

We will have a short suspension before we move on to the next item of business. I ask members who are leaving the chamber to do so quickly and quietly.

19:56

Meeting suspended.

19:59

On resuming—

Tertiary Education and Training (Funding and Governance) (Scotland) Bill

The Deputy Presiding Officer (Annabelle Ewing): The next item of business is a debate on motion S6M-20484, in the name of Ben Macpherson, on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill at stage 3. I call the minister, Ben Macpherson, to speak to and move the motion.

19:59

The Minister for Higher and Further Education (Ben Macpherson): I am pleased to open this stage 3 debate, and I want to start by thanking my predecessor, Graeme Dey, for the remarkable amount of work that he did and for putting in the necessary effort to develop the bill and take it through most of stage 1.

I also thank the committee and all stakeholders who have given their views, time and expertise to shape and refine the bill. I hope that many of them now see that they have positively influenced the bill's provisions and that it is now a better bill because of them.

I also thank MSP colleagues from across the chamber for their thoughtful and robust contributions, not only today but throughout the process of the bill, and I am grateful for their willingness to engage over recent months. All of those discussions, and the amendments that we have agreed together, have strengthened the bill.

Furthermore, I thank everyone at Skills Development Scotland, the Scottish Funding Council, Student Awards Agency Scotland and the unions that represent their staff. I know that, for staff at Skills Development Scotland and its board, this is an unsettling time, but I want them to know how much their work is valued and that their contributions will continue to be impactful and appreciated as the bill is implemented and once its implementation is complete. All the staff who are moving from Skills Development Scotland to the Scottish Funding Council will continue to make a significant difference for learners and employers.

Daniel Johnson (Edinburgh Southern) (Lab): It is good to hear the minister's thanks to Skills Development Scotland, but will he acknowledge that the Scottish Government left those working for Skills Development Scotland essentially in limbo for two years while it decided what it was going to do with the Withers report? That is an entirely unsatisfactory set of circumstances, and I hope

that the Scottish Government never again repeats it and leaves people, an agency and jobs in limbo in that manner.

Ben Macpherson: I appreciate the member's point. That is not my understanding of the situation, but, of course, I was not the minister during that period. However, I can say that there has been significant engagement between the Scottish Government, Skills Development Scotland and the Scottish Funding Council on engaging with staff, and that will continue at pace through the bill's implementation. All staff involved and their professionalism and their commitment have helped build the system that we have today, and they will all be central to delivering the change that we need in the years ahead.

Speaking of stakeholders, I want to take a moment to commend Fiona Drouet for seeing the opportunity presented by the bill to further her EmilyTest campaign and ensure that no family has to experience the loss of a child attending college or university as a result of gender-based violence. Fiona challenged us all to do more on that vital issue, and I thank her and Pam Gosal MSP, who supported her, for doing so. The amendment that was passed at stage 3, and which we worked on together, goes as far as we can to prevent such violence in the future, and I hope that it achieves its purpose.

Stage 3 is, of course, the point at which Parliament must decide whether the bill provides the right framework for the reform that so many agreed is needed. I know that views differ on whether the focus of the bill should have been to strengthen how our education and skills system is currently constructed or to undertake structural reform. I have thought about that issue very carefully since taking up post, and the firm conclusion that I have reached—and it is the strong position of the Government—is that we can do both, and that we must do both.

I accept that not every member will agree with every provision in the bill, but I hope that we can all recognise the care with which the bill has been developed, the evidence on which it is based and the genuine efforts that have been made to listen and respond to concerns during the whole process.

Douglas Ross (Highlands and Islands) (Con): The minister has said that he has thought about the bill a lot. I ask him to put on the record whether, at any point since he became minister, he gave any consideration to dropping the bill at this stage and potentially coming back—if he is still in post or if his party is still in government—with a new bill in a new Parliament. That is what a number of people were calling for. There was an opportunity to press the pause button and look at the bill afresh in a new Parliament.

Ben Macpherson: I was educated in our system in Scotland to believe in the importance of critical thinking, and that will be crucial in the period ahead. Indeed, I apply it to all my decisions as a minister and as an MSP.

It was, of course, prudent for me to consider the bill with a fresh perspective. Through the engagement that I had and the reassurance that I was given, I came to the firm view that this is a necessary piece of legislation. We must get ready for what is coming, we must continue to progress, and we must build on the expert evidence that is presented to us, and which was presented to us in the Withers review.

The bill offers a sound and balanced foundation for a simpler, more joined-up tertiary education and training system, one that can continue to evolve in partnership with this Parliament, the education sector, the business community, the people whom we serve, and, of course, the staff who work to support learners and innovation every day.

Maggie Chapman (North East Scotland) (Green): One of the missed opportunities with this bill was the opportunity to fully implement the recommendations from the von Prondzynski review in 2012. Some of us attempted to do that at stage 2, but the minister was of the view that that would challenge the Office for National Statistics classification too much.

Can the minister outline how he will continue to keep an eye on the concerns that were expressed at stage 2, by members and by others, about the accountability and scrutiny that is required of the governance of both further and higher education to ensure that our institutions are, as von Prondzynski recommended, actually governed effectively?

Ben Macpherson: I thank the member for her intervention and her engagement on these matters, not just at stage 2 but more generally. The Government has considered what more it can do through the bill, while also being mindful of ONS classification. We have constantly to strike a balance in that regard. I refer the member to the measures that we have taken on governance. I think that they are appropriate at this point, but I would be happy to engage further as we proceed.

As I and the previous minister have articulated, the bill is about making the system simpler and more efficient. It aims to provide a better experience for learners, whether they are retraining or are at the beginning of the pathway that they are undertaking, and, through that, reducing poverty and growing the economy.

We have included in the bill a number of measures that are important for our apprenticeship system—for example, putting it on a statutory

footing to advance parity of esteem. Outwith the bill, we have undertaken work to continue the development of graduate apprenticeships, which have been mentioned throughout the stage 3 proceedings. A shift towards a more expansive approach to work-based learning will allow us to enhance all relevant opportunities, from school through to university.

We have also made significant progress on fair work, in particular through working with the Scottish Green Party—I am grateful to Ross Greer for all the engagement that we have had on those points. I refer to the changes that we have made in that space.

Importantly—I will finish on this, Deputy Presiding Officer—we have also considered the need for all staff involved to be part of the process of implementation, should Parliament pass the bill. Last week, I met with trade union representatives to hear their concerns, and we will have regular dialogue into the next stage. I expect public bodies to do the same. I give a reassurance that services for learners and employers will be maintained throughout the transition period and that there will be no erosion of support as changes are implemented.

At its heart, this bill—this journey—to transform Scotland's education and skills landscape is not simply about processes or structures; it is about people, and the people whom we serve. The technological change that is coming will be profound, and we need to get our systems organised to meet the rapidly approaching challenges of the next quarter of the 21st century. The bill is an important step in that journey, and I ask Parliament to support the motion in my name.

I move,

That the Parliament agrees that the Tertiary Education and Training (Funding and Governance) (Scotland) Bill be passed.

20:08

Miles Briggs (Lothian) (Con): I thank the many organisations and businesses that have provided helpful briefings ahead of the stage 3 debate, and I also thank them for their work at stage 2. There has been concern out there about the potential impact of the bill on those organisations and businesses, and it has been clear, from speaking to them, that assurances have not been forthcoming.

However, I welcome the constructive way in which the minister has engaged since his appointment, when he inherited the bill from Graeme Dey. I also welcome the Government's acceptance of amendments at stage 2, and its engagement with a number of amendments that I lodged at stage 2 and which ministers have taken forward at stage 3.

As I stated during the stage 1 debate,

"When Scottish ministers introduced the bill, we on the Conservative benches were open to the reasons and rationale behind it."—[*Official Report*, 25 September 2025; c 71.]

However, as we have looked at the bill, it has become clear that it is not going to deliver what ministers suggest that it will.

It is worth reflecting on why the Scottish Government decided to legislate in this area. The independent review of the skills delivery landscape by James Withers in 2023 highlighted the need to focus on a new vision that meets the challenges of future needs. Principally, it looked towards the need to deliver flexibility across post-school learning systems in order to achieve genuine agility and to ensure that learners at all stages of their lives, across Scotland, have the opportunity to gain skills and take up potential apprenticeship opportunities.

I am sorry to say that the reality is that the bill does not reflect real delivery of the Withers' report. From the outset, we have challenged ministers to go further and for the bill to be more radical. As Russell Findlay outlined two weeks ago, the Scottish Conservatives want to see economic growth at the heart of every Scottish Government decision, with a Government that is always on the side of the entrepreneur and the innovator and that is ambitious and aspirational for the small businesses that make our country tick.

We want our apprenticeship system to be more responsive and agile. That is what we have been working to try to achieve. The Scottish Conservatives want to see an apprenticeship system that works with businesses to deliver more apprenticeship places. Crucially, we want to address, rather than simply discuss, the huge skills shortages in the sectors that we hear about week in and week out.

That is why we wanted the bill to go further to empower sectors to create more opportunities and focus on a demand-led approach. We wanted a bill that would help to provide training and retraining opportunities in Scottish firms, which would be at the heart of shaping skills development, as well as the courses that will be crucial for a host of sectors if we are to realise the potential of many growth areas in our economy. The Scottish Conservatives wanted the bill to do more than simply change how apprenticeships are administered in Scotland. We hoped that it would be an opportunity to seriously address the growing skills shortages and gaps that exist across so many of our key sectors, which are vital for the

future of our economy and this country's prosperity.

I turn to the concerns that were raised during the Education, Children and Young People Committee's scrutiny of the bill. We on the Conservative benches continue to have serious concerns about the potential transfer costs. I note that the minister's letter to the committee estimates that the

"total cost over these six years now ranges from £2.1 million to £28.1 million, with a central estimate of £15.1 million".

That remains a significant concern. I want every Scottish apprenticeship pound to go to the delivery of more apprenticeship places and opportunities, rather than expensive structural changes. I am also disappointed that, during the debate, the Government has not accepted the need for more and better transparency around the apprenticeship levy.

We on the Conservative benches also agree with the Association of Directors of Education in Scotland, which we have been working with. It believes that the bill lacks a systemic evidenced-based approach, and that there has been insufficient engagement with key partners, especially local authorities and employers. There are financial risks to successful existing programmes such as foundation apprenticeships, and the bill has the potential to negatively impact young people, particularly the most disadvantaged and those who are furthest away from the education system. The concerns that the association has expressed have not been taken forward. I hope that ministers will not see the bill as an end point; work needs to be done to protect apprenticeship places, especially foundation apprenticeships, as has been raised during the debate.

The Scottish Conservatives hoped that the bill would be a genuine opportunity for a culture shift across our education and skills system. We hoped that current working relationships within our college sector, as part of the wider tertiary sector, could be more collaborative, so that colleges could be empowered to become the drivers of change, rather than merely receiving funding. Empowering our college sector to deliver opportunities in local areas needs to be reconsidered. Audit Scotland has said that the college sector has seen a 17 per cent reduction in real-terms funding in the past three years alone, which has resulted in colleges having to deliver significant annual savings, with fewer students and fewer lecturers.

The Scottish Conservatives will work to make sure that the next Government and the Parliament in its next session genuinely develop a skills bill. We would propose bold and practical measures to invest in our colleges, fix Scotland's broken apprenticeship system, address skills shortages and allow local employers to shape training to match their workforce needs, as others in different parts of the United Kingdom can. Sadly, this bill has been a missed opportunity for the Government and the Parliament to take forward significant legislation that would deliver for our skills sector. That is why the Scottish Conservatives will not be able to support the bill at decision time.

20:14

Daniel Johnson (Edinburgh Southern) (Lab): I reiterate my thanks to the Minister for Higher and Further Education for the way that he has approached the bill, which has been very useful. There has been clear engagement, and I can see some differences between the bill that we have in front of us and the one that he first examined. Likewise, I do not think that the bill is without merit. There is strong sense in bringing funding streams together so that money can be used more flexibly.

However, we cannot support the bill as it is. The advantage of a stage 3 debate happening immediately after the stage 3 amendment process is that none of the arguments will be entirely new, and the fundamental point that I have been making this afternoon and this evening is that structural reform that is embarked on without clarity about what is sought or to be achieved and without strategy has risks, at least, and can be damaging, at worst.

To put it the other way round, I note that the minister said in his opening remarks that he hopes that the reforms will bring about the changes in the skills system that we all want to see, but we do not know what those are. We do not know what success looks like, and we do not know what the skills and apprenticeship systems will look like or feel like or what difference will be made as a result of the reforms. We will not know whether the bill has succeeded because we do not have that clarity from the Government. How do we know that the structures in the bill are right? How do we know that the form of organisation will enable delivery?

Let us be clear that we need change. Trade bodies and individual businesses have set out that a number of changes should be made, and we need urgent change, but that is the last thing that this Government is doing. It is 10 years since the enterprise and skills review that started much of this work off, it is three since the Withers review, and it is going to take another three years for the bill to be fully implemented. It is all taking far too long. The Government would do well to listen to the voices of those who have clear views about how flexibility, upskilling and reskilling can be

implemented now. Those are the urgent priorities that are in front of us.

We need clarity about skills funding, which is static, despite money being received through the skills levy. The bill will do nothing to increase transparency for the employers or sectors that are looking for information on how those funds are being delivered. We have had cuts to the few measures, such as the workforce development fund, that have provided the flexibility beyond the apprenticeship system that is so valued by business. Furthermore, we have seen a gutting of the colleges' ability to undertake anything that looks like flexibility. There have been cutbacks to the provision in the credit system, which is far too inflexible and does not enable colleges to deliver the flexibility that is needed.

However, it is not just that the Government has been slow and unclear. One of my fundamental issues is that this Government has an extremely poor track record of delivering structural reform, particularly in the absence of any clear strategy. To see that, we only need to look at the college sector. Many of our problems have arisen because of the poorly executed reform of our colleges, which has again been due to a lack of clarity. There is an insistence on full-time courses rather than part-time courses, yet, when we look at the economic needs that we have in front of us, we can see that flexible part-time courses are the training and skills provision that many employers are crying out for.

The bill does not even touch on many of the elements that Withers set out. There was a really important discussion about regional structures, which was the subject of a central recommendation from Withers, but there is nothing in the bill on how we can deliver regional approaches, despite the fact that they clearly deliver flexibility. Nor is there any sense of how we can have microcredentials or skills passports, which are also features of the flexible system that we want.

Above all else, the biggest fear is that we have a lack of clear industry voices in the system. It is hard to reach any conclusion other than that industry voices will be diluted by the measures that we see in the bill. With just two seats on the Scottish Funding Council—in a body that has a remit far broader than simply to deal with skills—it is difficult to see how industry will be able to shape, lead and take forward the skills agenda.

I am out of time. The bill is a missed opportunity. That is not to say that it will not have benefits, but, because of that missed opportunity and because of the lack of clarity, the Scottish Labour Party cannot support the bill tonight.

20:20

Ross Greer (West Scotland) (Green): The Greens will support the bill this evening, for the reasons that I outlined at stage 1 although, at that point, I expressed some scepticism that I will come on to.

I begin by thanking the minister and the bill team for their engagement throughout the process. I also thank the minister's predecessor, Graeme Dey, for his extensive engagement before he handed over the portfolio.

The Greens agree with the core premise of the bill. My starting assumption was that I, and Parliament, could not ignore what the reports from Audit Scotland and James Withers said about the Scottish Funding Council and Skills Development Scotland and, crucially, about the need for greater alignment within the system. Having more of that system under one roof should result in greater alignment.

Ministerial direction is the other key part. I have a lot of sympathy with what Daniel Johnson said, and we agreed on much during the stage 1 debate. What has consistently been missing from the system is clear ministerial direction and a clear strategy. We had a purpose and principles document from the Government that failed to set out a clear strategy across the sectors. We have a national strategy for economic transformation that was neither strategic nor transformative and a national performance framework that simply is not used and has sat gathering dust on the shelf from the moment that it was published. That is where the need for alignment is at its greatest—at ministerial level.

Roz McCall (Mid Scotland and Fife) (Con): I apologise if the member has moved on from the subject but, if we do not have a clear strategy, how will we know that the outcomes will be met?

Ross Greer: In part, ministers will have a far greater ability to direct the strategy when more of the objectives and purposes are sitting under one roof. There is a need for greater ministerial direction, and some of the amendments that we have made to the bill should also aid that greater strategic alignment.

I will quote from paragraph 417 of the report by James Withers, where he says that

"there must be a clear articulation of the areas that are a national priority. This goes beyond signalling 'economic transformation' or 'net zero' into a specific articulation, aligned to strategic policy intentions, of the sectors and occupations that will be critical to their delivery and their workforce needs."

In essence, he calls for fewer buzzwords and more clear strategic direction, and his point about net zero is one obvious example of that. We need far more people who are trained to install and

maintain heat pumps, we must transition the existing workforce who deal with gas boilers, and we need to increase the workforce. However, during my party's time in government, I saw how hard it was to get the system to line up behind that objective.

We are also trying to legislate for cultural change because part of the difficulty in getting the whole sector to line up behind that objective comes from the cultural differences between the organisations. Again, I think that will be part of the value of having everything sitting under one roof. It was clear in the Audit Scotland report in particular that the different cultures in the two organisations led to significant barriers to achieving the kind of alignment that Withers and Audit Scotland asked for and which I believe Parliament expects. That is one reason why we support the bill: bringing more parts of the system under one roof should reduce the risk of the sort of culture clash that we saw between the two organisations.

We wrestled with similar challenges during the progress of the Education (Scotland) Act 2025 and the need to replace the Scottish Qualifications Authority. Legislating to change culture is not easy, but we have made a number of amendments to the bill, particularly those dealing with the membership of the council and the apprenticeship committee. It is not perfect and there was a range of views, so we needed to compromise, but I think that we have established an underpinning structure that should allow for the kind of cohesive culture that will, in turn, create the alignment that we all expect to get from the system.

20:24

Willie Rennie (North East Fife) (LD): The context for the bill is the Audit Scotland report from some years ago. That report was scathing in its criticism of all those involved in the sector and of the inability of SDS and the Scottish Funding Council to come together to agree a strategy. It set out the failure of ministers to direct that change and ensure an integrated approach from those two bodies and others. That is the foundation of this debate.

As well as clearly setting out the need for a single source of funding, the Withers report recommended many other things that have been completely lost in this debate. The minister's predecessor was passionate about creating a careers service that would drive change throughout the whole system, because, if we can get young people at school to make the right decisions about their future as a result of proper advice at the right time, we can provide parity of esteem and transform the whole skills landscape. However, that has been completely lost in the political debate—the debate might be happening somewhere else, but I am not aware of it.

We have been banging on about the need for parity of esteem for years, but we have failed to deliver it. Skills planning, which Stephen Kerr talked about at length today, was a critical recommendation in the Withers report, but we are not really debating those issues. That is one of my regrets.

Big-bang reorganisations often introduce paralysis, uncertainty and fear of change. They mean that staff are thinking about their jobs and looking over their shoulders rather than driving forward change for the future. That all happens as a result of big-bang reorganisations, which rarely deliver the returns that we want. We are talking about tens of millions of pounds for the reforms in the bill. Will we get the returns that we want from the changes?

There are many public sector bodies, so we cannot bring them all under one roof. We need to have separate management. If we think that we can get integration, joint partnership and systems thinking only by bringing all those bodies under one roof, we are kidding ourselves. We need to get leaders to drive change across boundaries and ensure that everybody under their umbrella is working together and with all the other public sector bodies.

My other concern—I am giving a long list of reasons why the bill is terrible—relates to the capacity of the Funding Council. We know that the Funding Council has been under the cosh and has had to deal with all the crises in the higher education sector and in colleges. Does it have the headspace to deal with the additional responsibilities that are set out in the bill?

From what I have said, members will know that I would not have started from here or gone down this route, but we are where we are. I am afraid to say that, if we go back and say no to the bill, that might cause more chaos in the sector. What would that mean for SDS? Would it mean that another set of reforms would come forward that might threaten it in the future, or would it be secure for ever? What would it mean for the leadership of that organisation?

Douglas Ross: It is my understanding that, just last month, SDS wrote to the minister to set out alternative views and opinions on possible reforms that would not be as costly and disruptive as those that the Scottish Government has proposed. Should those views not be considered in this debate and as we go forward?

Willie Rennie: Douglas Ross is probably right, but I fear that it is too late to do that in this debate—we are so far down the track now. I hope that there is pragmatic partnership between SDS

and others. I sense a change in that organisation, so I hope that it works pragmatically to make the transition as smooth as possible. I have been impressed by the personnel who have been appointed to the Funding Council to take forward the reforms. Some of the individuals are really talented and can make the best of this situation. As I said, going back might create even more uncertainty.

For all those reasons, and given the amendments that I have secured today, which will give employers and business a louder voice, we will reluctantly vote for the bill.

In the last couple of seconds of my speech, I want to thank the clerks and officials. The officials have been outstanding in giving good, sound advice. I also thank the SFC and the SDS, particularly the staff who have been through hell in the past few years; the Scottish Chamber of Commerce and the formidable Liz Cameron, who one should never cross too readily; and Universities Scotland, as well as a myriad of other organisations that have been excellent in providing advice.

I just hope that the bill works. It had better work, because we need to get the skills landscape right and we need to train people with the right skills for the economy. If we do not do that, the repercussions will be even greater.

The Presiding Officer: We move to the open debate.

20:30

Jackie Dunbar (Aberdeen Donside) (SNP): As in the stage 1 debate, I thank the committee clerks, the witnesses, the ministers—former and present—and the officials. I also thank my fellow committee members for their work in scrutinising the bill. As members can imagine, there was more work to be done as we moved from the general principles of the bill to the nitty-gritty, so I add a little more thanks to reflect that.

I am disappointed—but not surprised—that some members are not supporting the bill. I am not surprised, because, in the two years that I have been on the committee, I do not think that Labour has yet supported a stage 1 general principles report. It does not matter what the subject of a bill is—Labour will amend it a great deal, but it will not support it.

However, I will repeat what I said at the start of my stage 1 speech on the bill. So often in the chamber, we talk about Scotland's future and building a better country for the next generation. The bill is not just about building a future for the next generation but about ensuring that they have the skills and knowledge to build their own future.

Of course, the bill is not only about young folk. There are plenty of people who enter or re-enter tertiary education and training later in life for all sorts of reasons. Goodness knows that there are plenty of people in the Aberdeen area who have had to reskill and retrain in recent years, first because of the downturn that was caused by oil prices being too low and then because of the downturn that was caused by the windfall tax because oil prices were briefly too high.

Thankfully, the Scottish Government has stepped up to support training and retraining in our city, not least through its oil and gas transition training fund and by helping to fund North East Scotland College's energy transition skills hub. That means that, whether the workers in my Aberdeen Donside constituency work in oil and gas or in renewables, they will continue to have the skills that are needed to power our nation and economy.

Let us get back to the bill that is in front of us. The bill will ensure that funding goes where it matters most: to supporting skills, to driving innovation, to ensuring that our economy has the talented workforce that it needs and to giving every learner the opportunity to thrive. Our colleges, universities and other training providers are tasked with equipping people—whether they are young people who are leaving school or those who want to retrain and take a new path—with the skills and qualifications that they can use to find their way in life, whether they use those to find a good-quality, well-paid job, to establish their own business or even to find a voluntary role. Folk want to contribute to our economy and to our society. The bill will help them to get the skills that they need.

Colleges, universities, apprenticeships and other training all help folk to improve their skill set. Therefore, it seems appropriate that I should talk about how the bill has itself been improved since it was first introduced. I will list some of the amendments that have been included in the bill. The bill now allows for a review of the credit-based funding model for colleges. There will now be a requirement for governing body members and senior officers at institutions to declare conflicts of interest.

More will be done to ensure that further and higher education institutions operate with transparency and accountability as a condition of funding. More will be done to protect whistleblowers and to ensure that there is better engagement with trade unions and students. New powers will also be introduced for the SFC to limit fees for apprenticeship managing agents.

Let us get on with it. Let us get the bill passed. Let us modernise how money gets to colleges, universities and training providers. Let us ensure

that folk can get the skills and training that they need. Let us support our learners to better themselves so that they can go on to build a better Scotland.

20:34

Douglas Ross (Highlands and Islands) (Con): Far be it from me to use my limited time to stand up and defend the Labour Party, but I have to take exception to what Jackie Dunbar said. She commented that, in her two years on the Education, Children and Young People Committee, she cannot remember the Labour Party supporting a bill at stage 1. It has done. It supported Daniel Johnson's recent member's bill and it also—when Pam Duncan-Glancy was the Labour member on the committee—supported the Education (Scotland) Bill, which was a Government bill that Labour said needed to be heavily amended.

Interestingly, however, the SNP members on the committee, along with every other member of the committee, could not support the general principles of the bill that we are considering today in our committee report. We had serious concerns, and the committee took the very unusual step of not recommending to Parliament that we should or should not support the general principles of the bill. It is important that we get that on the record.

I will give way to Pam Duncan-Glancy.

Pam Duncan-Glancy (Glasgow) (Lab): I thank the member for taking this intervention, as I tried and hoped to get to my mouse quickly enough to intervene on Jackie Dunbar earlier. I wanted to ask her to reflect on her comments about the Labour Party, on my membership and time on the committee and on the fact that we supported the general principles of the bills that Douglas Ross mentioned. It is important for Parliament to reflect that the committee stages are an important part of the scrutiny of legislation and that, throughout the parliamentary process, all members reserve the right to continue to seek amendments and consider how they will vote on a bill at the end of the day, after the full process has been gone through.

Douglas Ross: I agree with Pam Duncan-Glancy's points.

To stick with this issue for a little longer, I say to Jackie Dunbar that she should be less concerned about the motives or background of those who are opposing the bill and more concerned about those who are supporting it. I say this with all due respect, but the Liberal Democrats support the bill even though their spokesperson has given a long list of reasons why it is "terrible". He said that the Liberal Democrats "reluctantly" support the bill and are hoping that it works. The Government has cobbled together enough MSPs to back the bill, but that is not a ringing endorsement of what is contained in what should be a very important piece of legislation. The Government should reflect on that.

There are many reasons why I remain unconvinced about the bill, and I think that the minister would have been well served to withdraw it. I am not standing for election in a few months' time, but I am not sure that anyone who is standing will knock on a door and find someone embracing them with a hug to say, "Thank you for getting the tertiary education bill through Parliament. Thank you for costing the taxpayer £15.1 million"—although it could be as high as £28 million. If there is anyone who thinks that, we should have got them into the committee, because we did not find any enthusiasm for the bill at the committee.

I will again quote Willie Rennie. I think that, at one point, he said that the reaction was, "Meh"—it was a shrug of the shoulders. We struggled to find people who said, "In the limited parliamentary time that you have available as elected members, go for this. This is the priority that the education committee should be taking forward." We have missed an opportunity to get the bill correct and to get something more important on the statute book.

Daniel Johnson: As well as the lack of people giving encouraging evidence to the Education, Children and Young People Committee, the Economy and Fair Work Committee heard from a number of industry bodies that the bill would be a distraction from changes that could be undertaken now and with urgency. Does the member think that the Economy and Fair Work Committee's evidence should also be reflected on?

Douglas Ross: It should, and the Education, Children and Young People Committee put that in our report, too.

My time is almost up, but I want to raise a couple more issues. I have serious concerns about the capacity of the SFC. There might be very good people involved at the SFC, but their eye has been off the ball on a number of big issues that we as a Parliament would have expected them to have been all over.

On ONS classification, I have been through stage 1, stage 2 amendments, stage 3 amendments and now the stage 3 debate, but I still do not know what the tipping point will be, if there are more changes in legislation in future, at which universities' ONS classification will be in danger. During the process, the minister has repeatedly been unable to give an answer on that. Here we are, potentially voting for a bill tonight, and we still do not know.

I cannot support the bill tonight. We had an opportunity in Parliament to do it a lot better, but the Government did not take it. However, the bill will be passed tonight, because the Greens and Liberal Democrats will support the SNP. As seems to happen in this place, we will then get a round of applause from those on the Government benches. I ask them to question what they are clapping for, because I am not sure what they think the bill is supposed to deliver and will deliver. In years to come, we will think that it has been a missed opportunity and that we could have done far better.

The Presiding Officer: We move to winding-up speeches. There is a little time in hand.

20:39

Ross Greer: In my opening speech, Roz McCall intervened on me with what I think was a very fair challenge. If there is no clear strategic direction, how are we going to achieve alignment? Having sat here for six and a half hours at that point, I could not find the word that I was looking for in my brain, but the word was “function”. If we gather all the relevant functions under one roof, it makes it far easier to achieve that alignment.

That still requires clear strategic direction, though. We can legislate for structure, but it is much harder to legislate for strategy. Indeed, in many respects, Parliament should not legislate for strategy. It is for voters at each election to decide what Government they elect and for the Government to set its strategy, not for us in Parliament to legislate to bind future Governments. However, we can legislate to set some direction on that strategy.

Daniel Johnson: Will the member take an intervention?

Ross Greer: I will, in just a second.

I point to an amendment of mine that was agreed to at stage 2 of the bill that requires the SFC to have due regard to the Government’s economic, social and environmental objectives. That was about as far as we could go in legislating on strategy, but we can resolve structural issues through legislation.

Daniel Johnson: I accept Ross Greer’s point about function, to a degree. However, there is also the SFC’s ability to combine functions. If we look at the experience of the university and college sectors, which was the raison d’être of the SFC, I do not think that we see parity between those two sectors. The college sector is very much the poorer cousin of its higher education peer.

Ross Greer: To some extent, Daniel Johnson makes a fair point, but I do not think that that is all on the SFC. A lot of that ultimately comes down to decisions made by Governments and Parliaments over a number of not just years but decades. The bill has also served as a way for us to strengthen the governance structures of the SFC.

There is one other area that I want to touch on before closing. I said at stage 1 that the Greens support the bill in part because we agree with the core premise, but also because of the opportunity to use the bill to address other issues. I think that we have been successful in some of those regards.

Many of our debates on the groupings of amendments at stage 2 were dominated by questions of fair work and standards for apprentices and for the staff of the education institutions. We have talked about the fact that nine of the previous 10 years saw industrial action in our college sector and the fact that many graduate teaching assistants in our universities are, in effect, working for less than the minimum wage because of how poor their salary is and how many hours they are, in practice, expected to work above what they are contracted to work. I think that we all want to address those issues, but we wrestled over the extent to which we can put funding conditions in legislation without straying into areas that are clearly reserved, such as employment law. It was not just about whether we can act; it was about whether we can act in and via legislation.

My starting point was the fact that, in 2021, we applied conditions to Scottish Government grants and contracts in relation to payment of at least the real living wage. The Government quite fairly put it back to me that that was not set out in legislation but was achieved through a change of policy. I am glad that, on that point, as the minister said, we came to an agreement, which was announced last week, to expand that approach in further and higher education.

Two fair work criteria are currently conditions of funding: the real living wage and appropriate worker voice—that is, trade union recognition. Now, the other five criteria will also be requirements. Those criteria are investing in workforce development, no inappropriate use of zero-hours contracts—I would suggest that all zero-hours contracts are inappropriate, but there you are—action to tackle the gender pay gap and create a more diverse and inclusive workforce, offering flexible and family-friendly working practices for all workers from day 1 of employment, and opposing the use of fire-and-rehire practices. The fact that those criteria will now be conditions of funding is a significant improvement.

I credit Unite, the GMB, Unison and especially the Educational Institute of Scotland Further Education Lecturers Association—EIS-FELA—

which has campaigned on the fair work issue for a very long time. I want to credit in particular the EIS-FELA members at Forth Valley College, who, as a result of what happened at their institution, led the national campaign against fire and rehire in the college sector and won a really important victory that, in many ways, paved the way for this.

I do think, as Maggie Chapman said, that the bill was something of a missed opportunity for us to address wider issues of the governance of individual institutions, both colleges and universities. We are more than a decade on from the 2015 act and there is a need for us to look again at governance in the sector.

However, as I said a moment ago, we can legislate to address structural issues, and both Audit Scotland and the Withers report clearly laid out structural issues in the system. By aligning the system better, we will address some of those issues. Through this bill, once we pass it, we will have legislated to somewhat address the issues around strategy and direction, but, again, it is not appropriate to do all of that through legislation.

Much as the Greens are comfortable about voting for the bill today, the challenge—not for this Government, but for the Government that will be in place after May—is to set out a very clear strategic direction for our colleges and universities in particular. What are we trying to achieve? It is about not just our economic needs, but our social and environmental needs, because it is only with that clear direction that colleges, in particular, can thrive and succeed, as they have given us ample evidence of doing.

The Presiding Officer: I call Paul O'Kane to speak for a generous four minutes.

20:45

Paul O'Kane (West Scotland) (Lab): Thank you, Presiding Officer. At this stage in the evening, and given the many contributions that we have heard already, I might not go beyond that generous four minutes.

It is important to pull together some of the threads that we have heard, as well as our reasoning on this side of the chamber for not supporting the bill this evening. Daniel Johnson outlined quite clearly several significant concerns that we still have around the bill and, crucially, about what it will not do for the wider skills landscape in Scotland.

I echo what colleagues have said about the minister's efforts. I appreciate that, like me, he has come into the bill process as it has advanced. That is not always easy, but he has tried to engage. I acknowledge that, in a lot of what he has said, he recognises the challenges that will exist for a future Government.

That is the core of many of our concerns this evening. The minister spoke about technological change and facing that future challenge. The reality is that a lot of that challenge is present here and now. The jobs and industries of the future are moving at pace, not just in Scotland but internationally. We see that particularly in relation to the growth of artificial intelligence, digital tech, the defence sector and medicines. That is why we feel that, in this bill, we have missed an opportunity to make the demonstrable change that we need in training and upskilling young people, in particular, for the jobs that are already here, when other countries are perhaps moving ahead.

This evening, speakers in the debate, such as Willie Rennie, Ross Greer, Daniel Johnson and Miles Briggs, have set out a lot of the context around how we got here and all the work that has been going on ever since the Audit Scotland report, which Willie Rennie referenced, and the Withers review, with the stark challenges that it outlined. I do not think that the bill is addressing many of the wider issues that were at the heart of that.

Douglas Ross's contribution was interesting. He posed the question about what the public think and how much they will judge this work in the election that we are about to enter into. Yes, if we knock on someone's door, they will probably not be enthused by a technical bill such as this one, but their actual concerns would lie with the level of apprenticeship starts and the opportunities that exist for people in their communities.

I made this point in the debate on amendments. We know that learning providers requested 34,000 starts in 2024-25, compared with an actual 25,000 starts. This bill will not add a single apprenticeship—that is the reality of where we are.

Willie Rennie: I did have somebody raise it on the doorstep—they were an employee of SDS. They did not quite grab me with joy—it was probably the opposite. That reminds us that the decisions that we make in this place have direct consequences for the employment prospects of individuals, so we need to act with care every time we are talking about big-bang reorganisation. We may think that it is a good political thing to do, but we need to fully understand the consequences for people's livelihoods, as that person made clear to me.

Paul O'Kane: I am shocked that anyone in north-east Fife would not greet Willie Rennie at the door with an embrace of joy.

He makes a fair point about our decisions having an impact. We have heard from the trade unions at SDS and from those who work in those

agencies about the concern and disruption that such decisions can cause. We need to take cognisance of that, and that has very much been put on the record this evening.

As I said, I am conscious that the bill will not make the change that we want to see right now and that some of that change is being pushed down the road. We know that the reform should be rooted in the Withers review. We agreed with the central conclusion of the Withers review on the need for structural and operational reform, which we have heard so much about throughout today's process, as well as with the creation of the single funding body, but the bill falls short with regard to skills reform. It risks becoming that cosmetic, big-bang reorganisation that Willie Rennie spoke about, by rearranging structures without addressing underlying failures that are letting people down and holding the economy back.

Fundamentally, as we have heard from across the chamber, the bill will pass this evening, but perhaps without the necessary degree of enthusiasm or vision moving forward. As I said in my contributions on amendments, the belief on this side of the chamber is that we will see change and move things forward in this area only by having a change of Government, and that will come through in the debates that we have as part of the election, which the people of Scotland are ready for.

The Presiding Officer: I call Roz McCall to speak for a generous five minutes.

20:50

Roz McCall (Mid Scotland and Fife) (Con): Scotland needs a skills system that values apprenticeships and technical education just as highly as it does academic routes. That should not be a controversial goal, and it is one that the Scottish Conservatives have long supported. The bill was an opportunity to deliver that change. Unfortunately, even as amended, the bill falls short: it does not provide the clarity, funding confidence or delivery plans that learners, employers and providers were promised. For that reason, the Scottish Conservatives will not support it tonight, as has already been said.

I will start by looking at the context. Under the SNP, college capacity has collapsed. The number of full-time equivalent places has fallen by more than 8,000 to just over 116,000, which is the lowest level on record. Student head count is down, enrolments are down and institutions are increasingly fragile. Colleges Scotland has been clear that a number of institutions are already in a precarious position, and the Scottish Funding Council's capacity to support them is under serious strain even before any major organisational change begins.

At the same time, apprenticeship demand continues to far outstrip supply. Employers are crying out for skills. We know that demand is close to 40,000 apprenticeship places a year, yet only around 25,000 are being delivered. Young people compete with 60 to 80 other applicants for every place. That does not illustrate a system that is working.

However, despite that pressure, the SNP has presided over a situation in which £171 million of the money raised from employers through the apprenticeship levy has not been spent on apprenticeships. Scottish businesses have paid £875 million into the levy since 2020, but only £704 million has been spent on graduate, foundation and modern apprenticeships. That £171 million should have gone directly to training opportunities.

Against that backdrop, the bill proposes a major structural reorganisation, transferring responsibility for apprenticeships and national training programmes from Skills Development Scotland to the Scottish Funding Council, which will significantly expand the SFC's remit, staffing and responsibilities. We agreed with the principle of simplifying the landscape. The Withers review set out a compelling case for reducing fragmentation and bureaucracy, but structures alone do not deliver outcomes, and reforms without clarity create risk.

Even at stage 3, uncertainty remains around costs, staffing transfers and pension liabilities. Ministers have revised estimates, but they are still estimates so the Parliament is being asked to approve a substantial change without full confidence in its long-term financial impact.

There is genuine concern about delivery. Stakeholders have warned that the proposals could become more complex, more costly and slower to implement than envisaged. Unison has raised concerns about risk to the quality and volumes of apprenticeships and to staff. Education leaders have warned that foundation apprenticeships could be weakened or unintentionally sidelined. Those are not abstract concerns; they go to the heart of how young people access skills and qualifications.

Some improvements have been made at stage 2, and we welcome greater transparency and stronger governance provisions. However, the changes do not resolve the core problem: the bill still does not guarantee that money will reach the front line, apprenticeship numbers will increase or technical education will finally be given parity of esteem, as it deserves.

I turn to a couple of points that have been made tonight. Daniel Johnson said—as I have done—that effecting reform without clarity and strategy is a flawed approach. If we do not know whether the structure is right, how can it be delivered? I intervened on Ross Greer in his opening speech to make the same point. I am glad that he returned to that in his closing remarks, but I would note that function does not need to be under one roof for it to be aligned. As Willie Rennie mentioned, that can be achieved through strong leadership, and through different processes and different bodies.

I am a little bit disappointed in Willie Rennie and the Liberal Democrats that they are supporting the bill. They should not be voting through bad legislation. Although I fully understand the point about knocking on doors and meeting the people affected by the decisions that are made in this place, voting through bad law does a disservice to the people we are here to serve.

The last point that I want to highlight is the one that was mentioned by Douglas Ross on ONS classification, which the committee could neither support nor oppose at stage 1. It is very important to note that, right from the outset, the committee could not find agreement on that issue.

The Scottish Conservatives will continue to champion a skills system that is demand led, employer informed and genuinely focused on opportunity, but we cannot support legislation that risks adding complexity at a time when institutions are fragile and learners are already being let down.

In the words of Milton Friedman,

"One of the great mistakes is to judge policies and programs by their intentions rather than their results."

That applies to politicians and Governments, too. Reform should be about outcomes, not upheaval. This reform should lead to more apprenticeships and more training for people, young and old alike, to enable them to succeed; stronger colleges, clearer pathways; and better value for money. The bill does not deliver that.

The Presiding Officer: I call the minister to wind up the debate. You have a very generous six minutes, minister.

20:56

Ben Macpherson: I thank members for all their contributions, particularly Ross Greer and others from the Scottish Green Party, and Willie Rennie and others from the Scottish Liberal Democrats, for engaging extremely constructively in this process and for helping to progress this important legislation. I record my thanks to my team of officials, who have worked incredibly hard, proactively and thoughtfully. Together, with care, we have progressed this bill. Nurturing our people, who are the most important part of our society and our greatest resource, is an extremely important responsibility.

While we have been considering stage 3 tonight, there will be—or will have been; I hope that they will be in their beds now—children wondering what they will do when they grow up. We must help to inspire them. There will be teenagers deciding what choices to make at school and on the next step of their pathway, and we must help to guide them. There will be those who are part of generation Z who will be wondering how they will navigate the challenges ahead in an increasingly unsettling world, and we must seek to reassure them. There will also be older folks, some of whom might be anxious or excited about the possibility of retraining or upskilling, and we must seek to support them.

Part of our responsibility, as we serve in this place, and as we serve all those people, is to ensure continuously that our systems are adapted and ready—for our people and for the future. As the report co-authored by Audrey Cumberford of Edinburgh College, which is in my constituency, stated, the future world of work and skills will be

"volatile, uncertain, complex, and ambiguous".

Therefore, we need to adapt. We need a system that is agile; that enables even more of our people to make the most of their natural talents; that meets our collaborative and collective needs and fosters diversity, creativity and collaboration; that is cohesive; and that enables us to remain globally competitive.

Once implemented, the bill will deliver a sound and balanced foundation for a simpler, more joined-up tertiary education and training system. It will continue to evolve in partnership with the Parliament, the education sector and the business community. It is important to emphasise that many in the business community support the bill. For example, this week, the Federation of Small Businesses and the Food and Drink Federation Scotland emphasised their support.

Most importantly, the bill will continue to evolve with the people whom we serve. Of course, staff are working to support learners and innovation every day. That is why I am pleased that Colleges Scotland, Universities Scotland and the Scottish Training Federation, as well as many significant employers—large and small—support the bill.

Douglas Ross: The minister just mentioned Universities Scotland. One of the key issues that it has raised throughout the bill process has been Office for National Statistics classification. At this late stage—we are debating stage 3 after 9 o'clock on a Tuesday evening—does he know yet what

the tipping point would be for future legislation that would threaten such classification?

Ben Macpherson: I have said many times that, overall, that is a decision for ONS. Our responsibility, which my officials, ministerial colleagues and I have thoughtfully carried out throughout the process, is to ensure that we do not exert control over universities. Douglas Ross listens very carefully, so he will have heard the way in which I have dealt with the stage 2 proceedings and even the stage 3 proceedings today.

A vote for the bill is a vote for significant change. It is a vote for colleges, universities and training providers to work more cohesively to deliver high-quality, future-ready education and training. It is a vote to cut through bureaucracy, improve funding flows and maximise public value. It is a vote for a more efficient, aligned, responsive and collaborative system. It is a vote to take further steps to prevent gender-based violence and to advance fair work. It is a vote to widen access so that more people get the chance to study at college and higher education institutions.

Of course, the significant change that the bill makes is to expand the Scottish Funding Council's role. It will be a fundamental redesign of the tertiary education and skills landscape. The SFC will be expected to evolve its structures, capabilities and culture, and it is ready for that. Throughout the bill process and in today's debate, members have raised legitimate questions about the SFC's capacity, culture and accountability. I assure the Parliament that I have engaged with the SFC to ensure that those points were probed. I am confident that the SFC will build strong and lasting partnerships with employers. Apprenticeships will continue to reflect the needs of business in the wider economy, and there will be significant input from and in collaboration with businesses. Apprenticeships will be made more accessible to young people who face barriers and those who retrain and upskill.

Given all that the SFC is taking on, some members have highlighted that the name "Scottish Funding Council" will no longer reflect the extent of what it does, which is an important point to consider, as Willie Rennie raised today. Changing the name in law could have required hundreds of technical amendments to the Further and Higher Education (Scotland) Act 2005, which would not have been a good use of parliamentary time. However, it is important that we consider a name that reflects what the SFC is known for and what it operates in practice in the future, so that its descriptor fully represents all that it will do. I am open to ideas from members, the business community and people more widely about what that name might be.

The bill was introduced to the Parliament almost a year ago, but the work did not start then. We are building on strong foundations and on a commitment that began when the Government decided in 2008, due to the financial crisis at the time, to ensure that no young person is denied the opportunity to fulfil their potential in education or in life due to economic disruption. I thank all those who have been involved since that juncture, including those at SDS. As we move forward, we do so on strong ground thanks to them.

The work of James Withers on the excellent skills review and report was what set us on this path. He made clear what many people recognised: that improvement to Scotland's skills landscape was necessary and overdue, which is why we could not delay. He said that

"there is much that is good in the current system ... it has served Scotland's needs well",

but that we now need

"to create a system that"

allows users

"to meet ... the opportunities and challenges ahead ... and to meet the scale of the transformation that is facing us".

He said that doing so

"may be the most important element of national infrastructure investment that Ministers could make over the next decade."

Let us rise to that call together. Let us do what is necessary for now and get ready for what is ahead.

The Presiding Officer: That concludes the debate on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill.

Parliamentary Bureau Motion

21:05

The Presiding Officer (Alison Johnstone): The next item of business is consideration of Parliamentary Bureau motion S6M-20496, on committee meeting times. I ask Graeme Dey, on behalf of the Parliamentary Bureau, to move the motion.

Motion moved,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Economy and Fair Work Committee can meet, if necessary, at the same time as a meeting of the Parliament during Members' Business on Wednesday 21 January 2026.—[*Graeme Dey*]

The Presiding Officer: The question on the motion will be put at decision time.

Decision Time

21:05

The Presiding Officer (Alison Johnstone): There are two questions to be put as a result of today's business.

The first question is, that motion S6M-20484, in the name of Ben Macpherson, on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill at stage 3, be agreed to. As it is on a motion to pass the bill, the question must be decided by division.

I ask members—who have been voting all afternoon—to refresh their screens. Members should cast their votes now.

The vote is closed.

Neil Bibby (West Scotland) (Lab): On a point of order, Presiding Officer. I would have voted no.

The Presiding Officer: Thank you, Mr Bibby. We will ensure that that is recorded.

For

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Balfour, Jeremy (Lothian) (Ind)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Don-Innes, Natalie (Renfrewshire North and West) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Ewing, Fergus (Inverness and Nairn) (Ind)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Gillian (Central Scotland) (Green)
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP)
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McKee, Ivan (Glasgow Provan) (SNP)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Simpson, Graham (Central Scotland) (Reform)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Thomson, Michelle (Falkirk East) (SNP)
Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP) [Proxy vote cast by Jackie Dunbar]
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baker, Claire (Mid Scotland and Fife) (Lab)
Bibby, Neil (West Scotland) (Lab)
Boyack, Sarah (Lothian) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Ind)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Findlay, Russell (West Scotland) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Gosal, Pam (West Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
White, Tess (North East Scotland) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

The Presiding Officer: The result of the division on motion S6M-20484, in the name of Ben Macpherson, on the Tertiary Education and Training (Funding and Governance) (Scotland) Bill at stage 3, is: For 75, Against 46, Abstentions 0.

Motion agreed to,

That the Parliament agrees that the Tertiary Education and Training (Funding and Governance) (Scotland) Bill be passed.

The Presiding Officer: The second question is, that motion S6M-20496, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, on committee meeting times, be agreed to.

Motion agreed to,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Economy and Fair Work Committee can meet, if necessary, at the same time as a meeting of the Parliament during Members' Business on Wednesday 21 January 2026.

The Presiding Officer: That concludes decision time.

Meeting closed at 21:08.

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