



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Public Petitions Committee

**Wednesday 27 January 2021**

**Session 5**



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Pàrlamaid na h-Alba

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**PUBLIC PETITIONS COMMITTEE**

**2<sup>nd</sup> Meeting 2021, Session 5**

**CONVENER**

\*Johann Lamont (Glasgow) (Lab)

**DEPUTY CONVENER**

\*Gail Ross (Caithness, Sutherland and Ross) (SNP)

**COMMITTEE MEMBERS**

\*Maurice Corry (West Scotland) (Con)

\*Tom Mason (North East Scotland) (Con)

\*David Torrance (Kirkcaldy) (SNP)

\*attended

**CLERK TO THE COMMITTEE**

Lynn Russell

**LOCATION**

Virtual Meeting



# Scottish Parliament

## Public Petitions Committee

Wednesday 27 January 2021

[The Convener opened the meeting at 09:30]

### Continued Petitions

#### Youth Football (PE1319)

**The Convener (Johann Lamont):** Good morning, and welcome to the second meeting in 2021 of the Public Petitions Committee. This meeting is being held virtually. Given problems with connectivity at my end, I will be participating via audio only.

The only item on our agenda is consideration of continued petitions. The first continued petition for consideration is PE1319, on improving youth football in Scotland, which was lodged by William Smith and Scott Robertson. The petition calls on the Scottish Government to investigate the legal status and appropriateness of professional Scottish Football Association clubs entering into contracts with children under 16 years; the audit process and accountability of all public funds distributed by the SFA to its member clubs; the social, educational and psychological effects and legality of SFA member clubs prohibiting such children from participating in extracurricular activity; and the appropriateness of compensation payments between SFA member clubs for the transfer of young players under the age of 16 years. It also calls on the Scottish Government to increase the educational target from two hours curricular physical activity to four hours per week and to develop a long-term plan to provide quality artificial surfaces for training and playing football at all ages, across all regions.

As members will be fully aware, the petition has been under consideration by the committee for more than 10 years, over several sessions of Parliament. Our paper outlines how all the actions called for in the petition have been considered and, in the majority of cases, concluded by earlier sessions of Parliament. The paper also refers to the publication of our report last June and the committee debate that took place in the chamber in November.

The debate was largely focused on the outstanding issues raised by the petition about the legal status and appropriateness of professional SFA clubs entering into contracts with children aged under 16 years and the appropriateness of compensation payments between SFA member

clubs for the transfer of young players under the age of 16 years.

During the debate, the Minister for Public Health, Sport and Wellbeing confirmed that Scottish Government officials are continuing to discuss the outstanding issues raised by the petition with stakeholders and intend to meet the Children and Young People's Commissioner Scotland office, the SFA and the petitioners to consider next steps. Indeed, the minister reinforced the point during the debate that the petitioners

"are very much part of the on-going discussion".—[*Official Report*, 19 November 2020; c 54.]

Since our committee papers were published, we have received a written submission from the Children and Young People's Commissioner Scotland. The submission states that the commissioner remains

"committed to facilitating a meeting between the petitioners, the SFA and the Government",

and it outlines recent action that his office has taken, including engaging directly with the SFA and writing to the chair of the FIFA players' status committee on the question of the reimbursement of training costs.

As I said, the petition has been going on for a long time. It has had marked success, which was reflected across the chamber during the debate in Parliament. People took the outstanding issues very seriously, and I certainly was encouraged that the minister made a commitment to engage with the petitioners as part of any on-going discussion.

I ask committee members for their views.

**Maurice Corry (West Scotland) (Con):** I think that we have explored the petition very well over the past 10 years, as you stated. I think that we need to close the petition under rule 15.7 of standing orders on the basis that the committee has considered all aspects of it in significant detail over 10 years and several sessions of Parliament. The majority of actions in the petition have been considered and concluded in earlier sessions of Parliament.

The Scottish Government has committed to liaising directly with the petitioner, the SFA and the Children and Young People's Commissioner Scotland on the remaining outstanding issues, when restrictions allow. The SFA has confirmed that a working party has been established to review the registration rules in relation to 15, 16 and 17-year-olds.

The committee could write to the current Minister for Public Health and Sport to draw her attention to outstanding issues raised by the petition, stressing the importance of engaging with the Children and Young People's Commissioner

Scotland, the SFA and the petitioners, at pace, in order to address those issues. We could request that she provides an update to the Scottish Parliament committee responsible for sport by the end of 2021 on the work that has been progressed. We could also write to the SFA to request that it provides an update of its review of the registration rules in relation to 15, 16 and 17-year-olds to the Scottish Parliament committee responsible for sport by the end of 2021; write to the current convener of the Health and Sport Committee to draw attention to our requests that the Minister for Public Health and Sport and the SFA provide updates to its successor committee; and write to the petitioners to ask them to note that they would be able to submit a new petition in the future, specifically focused on the outstanding issues identified in our paper, should insufficient progress be made by the Scottish Government, the SFA and the Children and Young People's Commissioner Scotland. That would ensure that all the recommendations in this committee's report are implemented.

**David Torrance (Kirkcaldy) (SNP):** As somebody who has been on the Public Petitions Committee for seven years, I have followed the petition with interest. I have to agree with my colleague Maurice Corry; I think that the committee should do everything that he mentioned. I highlight that the petitioners have the right to come back to Parliament in its new session with a new petition if they are not happy with the measures and commitments that have been put in place. I am quite happy to close the petition under rule 15.7 of standing orders.

**Tom Mason (North East Scotland) (Con):** I agree with my colleagues. The petition has been running for nine or 10 years and almost all the elements have been carefully dealt with one by one. There are a few limited outstanding ones, so a letter to the minister to summarise what is still outstanding would be a good idea. I agree with my colleagues: we should close the petition, but write to the various bodies to outline what still has to be done and remind the petitioners that they can lodge a fresh petition should they require it later on.

**Gail Ross (Caithness, Sutherland and Ross) (SNP):** I feel quite nostalgic closing a petition that has been with the committee for so long. I have only dealt with it in the past couple of years, but the passion and commitment of the petitioners has really come through. What a shift they have put in. I thank them for all their work and dedication to see the petition get to where it is now.

It is absolutely right to say that a number of the petitioners' points have been addressed. If they felt that there were points that still needed to be addressed and they had to come back with a more

specific petition, they would not need to wait a year for that—they could do that after the election, as has been said. Obviously, there are points that still need to be addressed—we heard that with in the debate, in which a number of members spoke with passion and feeling. It is a cross-party issue and it touches so many people's lives. I know that the new Minister for Public Health and Sport is all over the subject of the petition and she is very keen to meet the petitioners, the commissioner and the SFA to try to move things forward.

I think that we should close the petition under rule 15.7 of standing orders. I agree with all the suggestions about writing to everyone involved, including the Health and Sport Committee and the petitioners. I end on a "thank you" to the petitioners for bringing forward the petition and I congratulate them on getting it this far.

**The Convener:** There is general agreement that this phase of the petition is completed. A number of things were settled or agreed, as I said, in earlier sessions of the Parliament, but there are outstanding issues around registration and the review that the SFA agreed to carry out. I guess that the petitioners might have a concern that, having got this far and having got an agreement that the work of the children's commissioner, the SFA, the Scottish Government and the petitioners will come together, the matter will just run back into the sand again. I am reassured by the fact that the petitioners could come back with a petition that focused on where the review is going and what has been done. They could hold people to account through that if it is not being done elsewhere.

I am also given confidence by the fact that we will be writing to the convener of the Health and Sport Committee to say that it and its successor committee should look for updates. We are also asking the children's commissioner to make a report. Those are the ways in which people could be held to account on these issues. If that fails, the petitioners can come back.

The concern has been that people make commitments and just hope for the best that the issue will go away. My sense from the discussion in the chamber is that it will not go away. A lot of very committed people took part in that debate, and we are very convinced by the arguments that were made.

I should acknowledge the commitment that the then Minister for Public Health, Sport and Wellbeing, Joe FitzPatrick, made. We will be writing to the current minister to highlight how significant that commitment was and we will make it clear that we expect that to be followed through. I have absolutely no doubt, given the indomitable spirit of the petitioners, that if there is any sense

that people are drifting away from doing that, they will bring a petition back.

If I thought for a moment that closing the petition would mean that the matter would run into the sand, I would not agree to it. I do not think that anybody on the committee would sanction that, because we have all been very engaged with the protection and safeguarding of young people, so that they are not treated simply as bits of business for football clubs. The fact that the children's commissioner is now engaged with the matter is quite important.

It would be fair to say that we are agreeing to close the petition, with the caveat that we will write to the Minister for Public Health and Sport, the SFA and the convener of the Health and Sport Committee, and we will underline to the petitioners that they can of course lodge a new petition in the new session of Parliament should they so wish. In doing so, we thank them very much for their time, energy, commitment, passion, determination and resolution not to let the matter go. They can be pleased with progress thus far, though we recognise the significant progress still to be made. That is agreed.

### Ship-to-ship Oil Transfers (PE1637)

09:45

**The Convener:** PE1637, by Greg Fullarton on behalf of Cromarty Rising, calls on the Scottish Government to ensure that environmental legislation in Scotland is sufficient to prevent ship-to-ship transfers of crude oil in environmentally sensitive locations such as the inner Moray Firth and to enhance the accountability of trust port boards to their stakeholders.

The petition was last considered by the committee on 12 November 2020. At that meeting, the committee took evidence from the Minister for Energy, Connectivity and the Islands. Since then, we have received follow-up correspondence from the minister, four submissions from the Port of Cromarty Firth and two submissions from the petitioner. Those are summarised in our clerk's note.

Since our papers were published, Kate Forbes MSP has sent a written submission, which has been circulated to us by the clerks.

Do members have any comments or suggestions for action?

**David Torrance:** I am sympathetic to the petition, as I was heavily involved in the huge community effort to stop oil transfers in the Firth of Forth. That brought the whole community together as we focused on something that we did not want to happen in the area. The biggest problem that

we came up against was that the licensing of ship-to-ship transfers is reserved to the United Kingdom Government. As such, I believe that the committee does not have a remit to intervene in relation to the specific application in the Cromarty Firth. With great sadness, I say that we should close the petition under rule 15.7 of the standing orders.

**Tom Mason:** The situation is difficult and there is obviously great concern about the issue. Given that the matter is reserved, there is no alternative but to close the petition. We have explored all the possibilities for coming to some better arrangement, but that has not been achieved. I note that the number of complaints has been quite small, so the effect of this is not that great in practice, although there is great concern that the situation may continue. Given that the matter is reserved, however, we have no alternative but to close the petition as required.

**Gail Ross:** The petition deals with an issue in my constituency, so I know quite a lot about it. Several communities, organisations and businesses came together, a lot of whom rely on marine tourism in the particular area where the two firths meet. They put a lot of work into the protest: they came down to the Parliament and I and a couple of other MSPs met them outside the building. I supported the campaign, because I thought that the proposal was not watertight—pardon the pun. There was too much risk of things going wrong and too many livelihoods and fragile ecosystems that could have been damaged as a result.

Even though the legislation on ship-to-ship oil transfers is reserved, I believe that at least Marine Scotland would have been consulted, so the Government does have a way of feeding into that. I agree that the Scottish Government should have total control over such transfers; these are our waters and, if something goes wrong, we have to face the consequences of that. I would like to see some kind of conversation between the Scottish Government and the UK Government to see how those transfers can be brought under Scottish control.

I would also like to see more accountability and regulation of trust ports. There is a community of more than several people who have an opinion on something, but the trust port has said that that opinion is not correct and it has outlined work that it has done and is continuing to do with the community.

A lot of this is a communication issue. The trust ports say that they consult and they do things in accordance with the community's wishes, but some people feel that that is not the case. The trust ports need to bridge that gap and reach out

to the community to ensure that people are more engaged in consideration of the ports' work.

As my colleagues have said, where we are is unfortunately the way it is at the moment. The matter is reserved and the Scottish Government has no say over regulation and accountability; as I said, I would like something to be worked up to make sure that we do have that say. That is an issue for the Scottish Government to take forward, so it is with great regret that I think that we have to close the petition under rule 15.7 of the standing orders. The petition has highlighted a lot of issues and I wish the group all the best going forward.

**Maurice Corry:** Gail Ross makes some pertinent points, particularly about the influence of Marine Scotland. Perhaps Marine Scotland should punch a bit harder and higher in such situations, in respect of the damage that could be done to the environment, the tourist industry and general businesses around coastal areas. As a west-coaster, I understand those problems.

As it stands, I agree with my colleagues that we have no option other than to close the petition under rule 15.7 of the standing orders on the basis that the matter is reserved to the UK Government. Nevertheless, dialogue could be continued between the two Governments as to how we can get a reasonable outcome to this in the future. I know only too well how fragile the economy is on the west coast, in business and also in relation to tourism and the marine environment. Marine Scotland should play a bigger part and have a stronger voice in such matters. I follow my colleagues in proposing that we close the petition.

**The Convener:** There is recognition that the licensing of ship-to-ship transfers is reserved to the UK Government, but what has probably exercised the committee most is the question of the accountability of the trusts—recognising that that question will not be solved in the committee. The trusts' responding to local communities and their concerns with engagement and dialogue is important, as has already been said. It is noted that there have been a low number of complaints, but that is perhaps not the test that should be applied.

I agree with the other committee members that we need to close the petition. The point was made about the UK Government and the Scottish Government and the trusts speaking to each other where there are important environmental issues and local community anxieties. They have to find a way of addressing that, which is not necessarily about the actual rules, but the way in which we can engage across what is and is not reserved. Members might agree that it would be worth writing to the minister to highlight how important it is to engage with both communities and the UK

Government because of those concerns, which Gail Ross flagged up.

If members agree, we will close the petition on that basis.

We thank the petitioners very much for engaging with the committee. The petition has been the subject of a lot of our discussion over a period of time.

### **Multiple Births (Support for Families) (PE1683)**

**The Convener:** PE1683, lodged by Jennifer Edmonstone, calls on the Scottish Government to provide better support for multiple birth families, including both financial and non-financial support.

Since our last consideration of the petition in November 2020, the committee has received a submission from the Minister for Children and Young People. In response to the committee's request for an update on what progress has been made in working with the Twins Trust to commission research in order to better understand the challenges facing families with multiples, the minister highlights a meeting that was due to take place last week between Scottish Government officials and the Twins Trust to discuss possible routes into developing research.

In response to the committee's request for her view on what support could be provided to mothers of multiples who are unable to return to work following maternity leave when childcare costs for two or more children are prohibitive, the minister sets out the current provision by the UK and Scottish Governments and reiterates that the Scottish Government has no plans to extend funded early learning and childcare to children under three who are part of a multiple birth on the basis of that factor alone.

Since our papers were published, we have received a written submission from the Twins Trust, providing an update on its meeting with the Scottish Government last week. Issues relating to mental health, the best start sub-group, the neonatal expenses fund for neonatal care, the cost of pregnancy pathway and the maternity liaison committees were discussed at the meeting. However, the Twins Trust expressed its disappointment that the Scottish Government officials said that they would not conduct any bespoke research, as they would not have the capacity to do so.

I find the lack of progress on the petition very frustrating. One of the reasons why we had the minister in front of us was that the committee felt that our conversations were not engaging with each other. The Scottish Government simply says that it has no plans to extend support to children



who are part of a multiple birth, but it does not really explain why it has no plans to do so, given that it is willing in other circumstances to have general universal provision, such as baby boxes or whatever, and to target provision based on need. It is a compelling argument that the very fact of having a multiple birth has a huge impact on families, not just financially but in every other way, and can mean that mums in particular are not able to return to work; there are consequences to that. I also share the disappointment about the Government's response to the question about research.

I would be interested in members' views. I think that I have come to the view that we need to close the petition, but it may be that the petitioner could come back with a more focused petition on the particular issues of early years childcare, and the research on challenges for multiple-birth families. I am interested to hear what members have to say.

**Tom Mason:** The outcome of the Government's meeting with the Twins Trust was disappointing, given what the Government has undertaken not to do. I am in two minds as to whether we should be closing the petition or keeping it open. We should write to the minister to establish both the present position and the forward position, so that there is some commitment to on-going dialogue to make sure that the various outstanding issues are progressed. I would like to listen to the views of the rest of the committee on whether we should close the petition or not, but it is certainly necessary to write to the Minister for Children and Young People to establish where we are at, particularly with forward research on the subject.

**Gail Ross:** I would like to see some research to compare numbers and see how much more it costs to have twins or triplets or more. I think that people would be quite shocked at the amount extra that has to be spent. We know that one of parents' main costs is childcare. We want to encourage mothers and fathers to go back to work if they want to—or at least to give them that choice—but I do not know how we can offer people support without knowing what that support looks like. There needs to be research to ascertain that.

The minister highlighted a number of ways in which the Government has helped or, indeed, could help multiple-birth families. The petitioner should look at bringing back a more targeted petition: the issue to look at would definitely be childcare. The minister said that local authorities have discretion as to whether to offer childcare places from the age of two, but even if the local authority agrees, there is a gap. The most maternity leave that people take is one year, after which you have a year in which you still have to pay for that support yourself.

We have taken this particular petition as far as we can. I am content to close it, but I would say to the petitioner that they might want to look at a more focused petition for the new Parliament.

10:00

**Maurice Corry:** I agree with my colleagues' comments and particularly your comment, convener, concerning early years childcare. As a father of twins, I know exactly the position that one is in. As Gail Ross quite rightly pointed out, I would like to see some more evidence on the actual costs of twins. I am sorry that I have thrown my little budget book away, but I know that it was not cheap. I understand and have full sympathy with parents in that position. We need to get some more information out of that. Perhaps we should write to the Minister for Children and Young People to raise those points and see whether we can tease some evidence out of that.

I think that we are in a position to close the petition, but I absolutely agree that the petitioner should bring back a more focused petition, probably around the actual costs of and issues arising from paying for multiple-birth families, and things like that. Gail Ross made a point about enabling people to have the opportunity to go back to work if they can and not be held back because of the lack of support. That needs to be looked at.

I agree that we should close the petition under rule 15.7 of the standing orders, and that in writing to the minister we take on board the points that you made, convener, and those that Gail Ross and Tom Mason made. Overall, I think that we agree that some more evidence is needed on the costs and that we encourage the petitioner to come back with a more focused petition in the next session. I thank her for her work and I have full sympathy with her on the issue.

**David Torrance:** I agree with all the actions recommended by my committee colleagues and I am happy to close the petition under rule 15.7 of the standing orders.

**The Convener:** Perhaps Tom Mason could indicate his view—I think that there is a general consensus that there is an issue here. We want to see more research. We want a justification from the Scottish Government as to why it would not simply offer more support to multiple-birth families, although we recognise that there are policies that certainly address support for low-income families. We share the Twins Trust's frustration that the Government has not committed to research.

It may be that Tom Mason would accept that, in closing the petition, we would write to the Minister for Children and Young People and to the Twins Trust to request an update on discussions looking at possible routes to developing research, and to

the petitioner to emphasise that she might be able to come back with a new petition. A general issue about the impact of multiple births on families has been very importantly highlighted to the committee and, through us, to policymakers, but it might be that, having done that, there is a very specific thing that the petitioner would want the Public Petitions Committee to look at further. I think that we almost have a consensus on closing the petition, but if Tom Mason wanted to confirm that, I would be happy to hear from him.

**Tom Mason:** Convener, I am happy to close.

**The Convener:** Thank you very much for that. We obviously recognise that the Government will not write back to us, since we have closed the petition, but we would be emphasising the importance of the issues, which would help the petitioner if she returned with a petition in future.

We will close the petition under rule 15.7 of the standing orders and underline our gratitude to the petitioner for the work that has been done so far in highlighting an area that probably not enough people think about. It can have a huge impact on families and their expectations and plans for the future. We think that this is worthy of consideration by the Government, as we have shown, and we want to thank the petitioner for engaging with the Public Petitions Committee.

### **Children's Hearings (Record of Proceedings) (PE1768)**

**The Convener:** PE1768, by James A Mackie, calls on the Scottish Government to ensure that all proceedings in a children's hearing are minuted or recorded. The petition was considered previously in September 2020, when the committee agreed to write to the Scottish Government to seek its view on the suggestion that there may be scope to establish a way of recording the key points resulting from a children's hearing without impinging on the intended informal and participative nature of those meetings.

In its response, the Scottish Government explains that, at present, a record of proceedings is kept for each children's hearing that records why a hearing has been arranged and who is present and absent, as well as the decisions that are taken and the reasons for them. The record of proceedings also includes written decisions that are prepared by panel members. Those should be sufficiently detailed to make clear what the panel members decided, why they made each decision, what information they relied on, what outcomes the decision is designed to bring about and what the child's views are and that those views have been taken into account.

The Scottish Government also highlights that the statutory procedural rules relating to children's

hearings allow the children's reporter to record information that is additional to the decisions and actions of the hearing where the reporter considers that appropriate.

This is an interesting issue. A balance always has to be struck in the children's hearings system. It is about what is in the best interests of the child, trying to address those issues in the round and ensuring that people have an opportunity to participate. Participants have to be comfortable with the proceedings, so they should not be overly formal, but at the same time decisions have to be recorded.

The comments in the Scottish Government submission certainly give me comfort. The Education and Skills Committee keeps the hearings system under review, so it is not something that is not looked at in detail. On the question of recording of decisions, I find the Government's response reasonable, but I am interested in members' views.

**Gail Ross:** The petition throws up interesting points. I, too, am given comfort by the Scottish Government's detailed response. We have taken the petition as far as we can, so I am content to close it under rule 15.7, given that a record is kept that notes why the hearing was arranged, who was present and absent, the decisions that were reached and the reasons for that. It is sufficiently clear why things have been decided. The Scottish Government has confirmed that filming or recording of every hearing would be disproportionately resource intensive and could have a negative impact on the participation of children and young people. With those things in mind, I am content to close the petition.

**Maurice Corry:** I agree with and endorse what my colleague, Gail Ross, has said. I, too, propose that we close the petition under rule 15.7 of standing orders.

**David Torrance:** I am reassured by the Scottish Government's detailed submission and I am happy to close the petition under rule 15.7 of standing orders.

**Tom Mason:** The issue has been explored sufficiently, so I agree that we should close the petition under rule 15.7 of standing orders.

**The Convener:** There is consensus that we want to close the petition. We agree that the record of proceedings gives information about decisions in the children's hearings system. We accept that full recording or minuting would be disproportionately resource intensive and would have a negative impact on the meaningful participation of children and young people. The last point that gives me reassurance is that we know that the work of the hearings system is kept under review within the Parliament.

We agree to close the petition and thank the petitioner for engaging with the committee on an important issue.

### Water Poverty (PE1793)

**The Convener:** PE1793, by Gordon Walker, calls on the Scottish Government to remove water and sewerage charges from all households in Scotland on a low income or benefits. The petition was last considered in November 2020, when the committee agreed to write to the Scottish Government. In response, the Cabinet Secretary for Environment, Climate Change and Land Reform reiterated that the Scottish Government is of the view that water charges should remain linked to council tax bands because, in the vast majority of cases, that is an indication of the ability to pay.

The cabinet secretary highlights that the recently published principles of charging for 2021-27 include measures that seek to protect those who are least able to afford water charges, such as increasing the maximum discount that is available under the existing water charges reduction scheme and extending the scheme to include around 290,000 households that receive a 25 per cent single person discount. The cabinet secretary also notes that the Scottish Government is working closely with Citizens Advice Scotland on affordability and responsible debt recovery methods.

This is another interesting and important petition. We got a detailed response from the cabinet secretary. The point that there is a connection between a higher council tax band and income might in general be true, but we know that one reason why council tax is unpopular is because some people who have a relatively low income, particularly older people, can be in a higher band property. That has been a bone of contention for a while. There is also a bone of contention for local authorities, who feel that they are accountable for water charges over which they have no control.

I am encouraged by the fact that Citizens Advice Scotland has engaged with the issue. Many of the issues will not be resolved until we find a way of funding local government that people find satisfactory and until we address the question of water charges separately.

The committee has had a good look at the issue. I am absolutely confident that discussion on the matter will be on-going. The Local Government and Communities Committee, Citizens Advice Scotland and various other groups will not let it go. For the time being, we cannot take the petition any further. I am reassured that the Scottish

Government is working closely with Citizens Advice Scotland on the matters.

**Maurice Corry:** I endorse all the comments that you have succinctly made, convener. We have taken the petition as far as we can, but I commend the petitioner's efforts in drawing it to our attention. The issue has been around for some time. Having been a councillor, I know that it is raised frequently.

If any citizen in this country has an issue with any matter, such as council tax, water charges or housing benefit, they have a right to go to their council on a special-terms basis. There is no reason why they cannot do that if they have a particular reason for doing so.

I recommend that we close the petition under rule 15.7 of standing orders. Water charges are linked to the council tax banding of the house occupied. There is an issue where a single person lives in a house that is in a higher tax band, perhaps because that is where they have always lived and they are continuing to live in the community. I know that the Scottish Government is working closely with Citizens Advice Scotland on affordability and that they will continue their discussion. The principles of charging for 2021-27 include the aim of extending discounts to around the 290,000 households that receive the 25 per cent single person discount.

There are factors in place and I think that we have done all that we can. I am confident that the Scottish Government is doing what it can, and it is working with Citizens Advice Scotland. I therefore propose that we close the petition under rule 15.7.

**David Torrance:** Like you, convener, I am glad that the Scottish Government is working with Citizens Advice Scotland. Key to me is the fact that the discount for those 290,000 households is increasing from 25 per cent to 35 per cent. I am happy to close the petition under rule 15.7 of standing orders.

10:15

**Tom Mason:** I agree with my colleagues. The linking of water charges to the council tax bands will always be an issue. Some of the issues will not be resolved satisfactorily until the new local taxation system is worked through, but getting consensus on that will be increasingly difficult. I agree with my colleagues that closing the petition under rule 15.7 of standing orders is appropriate, because there is not much more we can do at this stage.

**The Convener:** You are right that there will be a challenge in building a consensus on local taxation, as that issue has been with us since the beginning of the Parliament.

**Gail Ross:** I agree with the points that the convener and my committee colleagues have made. I agree with the proposed course of action and I have nothing more to add.

**The Convener:** We agree to close the petition under rule 15.7 of standing orders. We recognise the issues that are involved, and we note the increase in the discount. Most importantly, we want to underline that the Scottish Government must continue to work closely with Citizens Advice Scotland on the question of affordability and responsible debt recovery methods. As Tom Mason and others have highlighted, in any discussion on local taxation, it is important to take into account the question of water charges.

We agree to close the petition. We thank the petitioner for engaging with the committee in the way that they have done.

### **European Union Withdrawal Agreement (Powers of Economic and Industrial Intervention) (PE1801)**

**The Convener:** PE1801, by Vincent Mills on behalf of Radical Options for Scotland and Europe, is on retaining powers of economic and industrial intervention. The petition calls on the Scottish Government to negotiate with the UK Government to ensure that, in any future European Union withdrawal agreement, Scotland retains the power to provide state aid to workplaces that are threatened with closure, to take public utilities such as rail, bus and power utilities fully back into public ownership and to require public sector contractors to recognise trade unions and to have collective bargaining on wages.

Since we considered the petition previously, which was in November 2020, we have received submissions from the Scottish Government, the UK Minister for Small Business, Consumers and Labour Markets, the Finance and Constitution Committee and the petitioner. The submissions are summarised in our meeting papers, which highlight that the European Union (Future Relationship) Act 2020 and the United Kingdom Internal Market Act 2020 have now both been passed by the UK Parliament. The petitioner believes that the passing of that legislation underlines the concerns that the petition sought to highlight and accepts that the Scottish Parliament has limited scope to challenge the UK-EU trade and co-operation agreement, on which the European Union (Future Relationship) Act 2020 is based.

This is an interesting petition that highlights a lot of important issues around state aid and subsidy. It is about the potential for Government to intervene not only to say that it wants to bring

things into the public sector but to raise the important questions of the role of trade unions, collective bargaining and setting basic standards on employment rights. Those issues will continue to be important as the new relationship between the UK and the EU unfolds.

The question for us outside Europe is about the extent to which we are willing and able to use subsidy and state aid to intervene in the economy. I am sure that we will not agree as a committee on what that should look like, but Scotland will need to have that conversation in future. We will no longer be able to say, as has been said in the past, that we cannot do something because the European rules do not allow it.

We have probably taken the petition as far as we can, given that the legislation has now been passed, but we recognise that people have engaged, including the UK minister, who responded to the committee.

I seek members' comments.

**David Torrance:** I am sympathetic to many things in the petition but, considering that the European Union (Future Relationship) Act 2020 has been passed by the UK Parliament, the committee cannot take the petition any further. I recommend that we close it under rule 15.7 of standing orders.

**Tom Mason:** There are a whole load of issues here that will continue to be discussed probably long after I am in my box and that are unlikely to be resolved by the committee. What is done is done. Brexit has happened, so we have no option but to close the petition under rule 15.7 of standing orders.

**Gail Ross:** I agree with my colleagues. The time has passed for our committee to do anything about the issue. The United Kingdom Internal Market Act 2020 has been passed. Brexit has happened. As has been stated, conversations about those things will go on for a long time but, as it stands, we have no choice but to close the petition under rule 15.7.

**Maurice Corry:** I agree with my colleagues that we should close the petition under rule 15.7 of standing orders.

**The Convener:** There is a consensus. We agree to close the petition under rule 15.7 of standing orders, recognising that the European Union (Future Relationship) Act 2020 has been passed by the UK Parliament. The issues will not go away, but one reason why I am clear in my mind that we can close the petition is that I am confident that the issues will continue to be discussed by the Scottish Parliament, because they are absolutely fundamental issues to do with rights in the workplace and the Government's

ability to intervene to support particular sectors and industries in the economy. The issue will have to exercise the Scottish Parliament and the UK Parliament in the future and it is certainly a matter that will have an impact on citizens across Scotland and the UK.

We agree to close the petition. We thank the petitioners for their engagement with the committee and their interest in highlighting those important issues for the future.

### **Public Service Employees (Remuneration) (PE1808)**

**The Convener:** PE1808, lodged by Gerald Seenan, calls on the Scottish Government to substantially increase the remuneration of vital public service employees, especially national health service and community care staff.

Since our previous consideration of the petition, we have received submissions from the Scottish Government and the petitioner. The Scottish Government has advised that employment law is reserved to the UK Government, but that it

“is using its Fair Work policy to drive fairer work practices across Scotland’s labour market.”

It has specifically highlighted its fair work in social care group. The submission also highlights the work of the independent review of adult social care, which is due to report by the end of this month. The Scottish Government notes that its

“Public Sector Pay Policy covers 49 public sector bodies and requires those public bodies to pay the real Living Wage.”

Again, this is an interesting issue. The more general issue that the petition highlights is that, during the pandemic and the lockdown, a lot of people will have reassessed who the important people are and which people are doing the important jobs—whether they are the shop workers, people who are trying to keep our communities clean, people who are enforcing the rules, or people who care for those who are vulnerable or ill in our hospitals or our care homes or those who are vulnerable in our communities. Those people are absolutely central. I hope that the general issue of how we recognise and remunerate people will exercise all of us as citizens over the next period. For too long, we have recognised the importance of care workers, unpaid carers and all those groups without necessarily taking a long, hard look at what we need to do in respect of remunerating people.

Although those general points are important and we would hope that they would be at the forefront of the Government’s mind, the negotiation of terms and conditions is, of course, for the public sector, the voluntary sector, local government, third sector organisations, employers and their employees,

normally via the trade unions. That work will be on-going. We note the work of the fair work in social care group and in the independent review of adult social care, so some action is going ahead. The question is whether we will continue to feel the way that we did during the lockdown and recognise that we have not properly valued those who are doing the most important jobs in these difficult times.

**Tom Mason:** The pandemic has focused minds on the key issue of who contributes most to our survival as a civilisation, basically. To some extent, that will be a continual problem as pressures exert themselves and society, technology, the constitutional structures and so on change. That will take some time to work its way through, and it would be wrong to come to any conclusions now, as we are not yet anywhere near the end of the pandemic.

At this stage, I do not think that we as a committee can successfully contribute anything more to making sure that something happens, but we need to ensure that all of the work is carried on. What is important at this stage is that we keep national records, understand what is going on, and not get too angry about things going wrong, because a lot is still to change as we go forward. Therefore, we should close the petition at this stage, recognising that various working bodies will continue to review the issues.

**Gail Ross:** This is another petition that has raised some very important points. I thought that the Scottish Government’s submission was detailed, and I have certainly learned a lot more about who decides what wages. That was a bit of an eye opener. It is not always the Scottish Government or the local authorities.

I agree that the issue will be on-going. I think that we all value not just front-line staff but everyone who works for the betterment of our communities, some of whom are, as has been said, unpaid. The realisation of how important a lot of those people are will have to be addressed at some point.

Unfortunately, I do not think that taking forward the proposals is the work of the committee. As the convener suggested, that is up to the workforce, with the unions, the negotiating committees and all the other organisations and individuals included in the negotiations. Like Tom Mason, I hope that, when the pandemic is behind us, we will have a serious look at how we remunerate and treat people who have been so brave and have managed to get us through the crisis. However, I do not think that the committee has a role in that.

I thank the petitioner, but I think that we have no choice but to close the petition under rule 15.7 of the standing orders.

**Maurice Corry:** I endorse my colleagues' comments on the petition. I am very pleased that the Scottish Government has said that the independent review of adult social care will inform its

"plans for longstanding, sustainable improvements to adult social care and ... ensure that workers in care homes and the wider social care sector are better supported."

The issue has really come to light in the current pandemic, so some good has come out of that. Let us hope that social care, adult care and, indeed, care home staff will be treated on the same basis as all other health workers are, because they and everybody else who has been doing such wonderful work through the pandemic are so important and valuable.

At this stage, there is nothing further to do other than to close the petition under rule 15.7 of the standing orders on the basis that large parts of the public sector, such as local government, are not directly covered by the Scottish Government's pay policy. It is up to local authorities to institute that and to negotiate. I also refer to the on-going work of the fair work in social care group and the independent review of adult social care. I recommend that we close the petition under rule 15.7 of the standing orders.

10:30

**David Torrance:** I am happy to close the petition under rule 15.7 of the standing orders. However, I look forward to the recommendations from the work of the fair work in social care group and the independent review of adult social care. If the petitioner is not happy with those recommendations to the Scottish Government, I urge them to bring the petition back in the new session. There is always the option to do that.

**The Convener:** That last point is an important one. The Parliament will have to recover Scotland from the Covid pandemic in the new session, and I am absolutely confident that the issue that has been raised will be part of the discussion. If we thought that the Public Petitions Committee was the only place in which the issue would be discussed, we would be more reluctant to close the petition, but I am absolutely confident that the issue will have to be part of the future conversation.

Although a lot of the pay negotiation in local government, the third sector and so on is not determined by the Scottish Government, it is shaped by Scottish Government policy and decision making around budgets that it affords to local government. We know that some cost savings by local government are driven out into the third sector and to the private sector because local authorities feel under financial pressure. I

have every confidence that that conversation will continue.

I underline that the central message that I took from the petition was that a significant number of people—not just in the health service, but much further beyond it—have been under phenomenal pressure through the pandemic. There are people whose critical work in the field should be reflected in the remuneration that they receive for it.

We thank the petitioner for engaging with the Public Petitions Committee. As David Torrance said, if the petitioner feels that the issue has not been progressed in the new session, there is the opportunity to lodge a petition at a later stage. We thank the petitioner for the engagement with the committee.

### Sports Ombudsman (PE1811)

**The Convener:** PE1811, lodged by Ken White, calls on the Scottish Government to establish an independent sports ombudsman to provide a duty of care to all participants, coaches, officials, support staff, volunteers and clubs, ensuring all are treated fairly and without prejudice, and review and arbitrate on disputes with Scottish governing bodies.

The committee has received a response from the Scottish Sports Association and the petitioner. The SSA states that SGBs are independent organisations, most of which are companies limited by guarantee and are accountable to their members. They are bound by the terms of their grant from sportscotland, which includes a requirement to have completion of an independent governance audit, which includes processes and systems.

The submission also explains that any disputes in sport where a final arbitration is required through an independent and expert body can go to Sport Resolutions UK, although it notes concerns regarding the costs involved in using that model for every dispute raised. In closing, the SSA states that the sportscotland appeals process remains the template that some SGBs use and it would be happy to contribute to any review to ensure the application of best practice.

In his submission, the petitioner questions how policies and procedures are applied consistently and transparently across SGBs, given his experience with his own. He also highlights the need for an escalation route when a club has an unresolved dispute with its SGB.

I think that this is an interesting and difficult petition. The role of volunteers and small sports clubs in contributing to our communities cannot be overstated. It is important to get the balance right in terms of how much pressure is put on them with

regard to managing the process. However, at the same time, people should feel that they have the right to complain.

I will be interested to hear members' thoughts. I think we need to close the petition, but I was encouraged that the SSA said that it would be like to be involved in any new hearing. In closing, we could write to the Scottish Government and say that we think that that is something that could be taken forward. I will be interested in members' views on this because I am not sure how this is resolvable, given the nature of the groups that we are talking about, but I think that the petition highlights some important issues.

**Gail Ross:** I agree that the petition highlights some important issues. As with other petitions that we have considered over the previous months, it highlights a gap between policy and practice. We get evidence from whatever organisation oversees a sector that certain things should be happening, and then the evidence that we get, which has driven the petition, shows us that those things are not working in practice.

An overseeing dispute-resolution person or body would probably be quite a good thing. There is guidance there and I know that the SSA has stated that it is willing to work on that. That is a good suggestion and it is something else for the new Minister for Public Health, Sport and Wellbeing to address.

Until we see what that updated guidance looks like, we cannot take this any further. I would suggest closing the petition. However, in closing, we should write to the Minister for Public Health, Sport and Wellbeing suggesting that the Scottish Government work with sportscotland and any other body that is willing to feed into this to make sure that the governance framework and the appeals process are fit for purpose. If the finding is that they are not fit for purpose, given what we have seen with the petition, they should be updated to ensure that they are.

**Maurice Corry:** I endorse all that my colleague, Gail Ross, has said about this petition. I believe that we have an option to close the petition under rule 15.7 of standing orders, and I commend that to you.

I would like to say a massive thank you to the volunteers who take part in these organisations and clubs. I know that is an enormous amount of work and they take on lots of responsibility, so they also need to be helped out. In writing to the Minister for Public Health, Sport and Wellbeing, as has been suggested, we should also reflect the level of effort that goes in from volunteers.

I would like to thank the petitioners for bringing this to our attention because it is an extremely important issue for the health and wellbeing of our

people, particularly the young people, as well as senior people.

**David Torrance:** I do not have the same confidence as the Minister for Public Health, Sport and Wellbeing that sporting governing bodies do what they say is on the tin, just from the examples that I have seen from different groups in my constituency. The Government says that independent sports resolution is there to help resolve issues, but it is expensive to go down that route, especially for small bodies or individuals who cannot afford it. However, I am fully supportive of my colleagues that we write to the Minister for Public Health, Sport and Wellbeing to make sure that the governance framework and appeals process is fit for purpose and moves forward. I ask that the petitioner be involved in that and can highlight the issues he has had with his governing body. If the petitioner is not happy with the final outcome, I urge him to lodge another petition in the next session of Parliament.

**Tom Mason:** I agree with my colleagues. I think that we should close this petition at this stage. You have highlighted the issues quite effectively and we should write to the minister to make sure that progress is not destroyed by a lack of attention in the future.

**The Convener:** I think that we are all acknowledging the important role of volunteers and of these bodies in relation to people's ability to have confidence in the system. We agree to close the petition, but we will write to the Minister for Public Health, Sport and Wellbeing to ask that the Scottish Government works with sportscotland on the SGB governance framework. We will advise that the SSA has offered to support that, and we will include the point made by David Torrance about our hopes that it will engage with the petitioner and other groups when taking the work forward, as they will clearly have a view on how the dilemma could be resolved.

We agree to close the petition and we thank the petitioner for highlighting these issues, understanding and recognising the frustration that he has about the gap between what is theoretically supposed to be happening and his direct experience of it. We hope that these matters can be taken forward by the next Parliament.

### **Ancient, Native and Semi-native Woodlands (Protection) (PE1812)**

**The Convener:** PE1812, lodged by Audrey Baird and Fiona Baker on behalf of Help Trees Help Us, calls on the Scottish Government to deliver world-leading legislation giving Scotland's remaining fragments of ancient, native and semi-native woodlands and woodland floors full legal protection before the United Nations Framework

Convention on Climate Change 26th conference of the parties, or COP 26, in Glasgow in November 2021.

Responses have been received from NatureScot, Scottish Land & Estates, Heads of Planning Scotland and the petitioner. A further submission has been received from the Woodland Trust since our papers were circulated. We have also received a large number of responses from supporters of the petition. The points raised are numerous and varied and are covered in our committee paper. In summary, all respondents believe that some further statutory protection or improvement of existing law is required for the protection of woodlands in Scotland.

I am interested in the views of members on how we can progress the petition.

**Maurice Corry:** This is a very important petition. The petitioners, Audrey Baird and Fiona Baker, are good constituents of mine and also do a lot of hard work in the environmental field. Help Trees Help Us is a significant title for this petition, and, thinking towards the end of this year and COP26, it is appropriate that this petition has come before us today.

I recommend to the committee that we continue to keep this petition open and that we write to the Scottish Government to seek its views, given all the correspondence that we have had and the respondents who have said to us that they believe that further statutory protection or improvement of existing laws is required for the protection of the woodlands in Scotland.

The specific issues that we need to bear in mind are significant. They include the point that Scottish Land & Estates made about the fact that the Scottish biodiversity strategy target requires that 60 per cent of native woodland is in a satisfactory condition by 2020. There is a lot of work to be done on that. We also need to ask the Scottish Government whether it has met that target and, if it has not, how it intends to do so. NatureScot's points on the specifics of where woodland is poorly protected and whether the native woodland survey of Scotland could more accurately map woodland are also important, as is the issue of the support for the inclusion of the protection of woodland in the forthcoming national planning framework 4, which was raised by the John Muir Trust and Heads of Planning Scotland. We should also pursue the issue of the opportunity that is presented by the new relationship with the EU to increase the protection of ancient woodlands in line with the action taken by the EU, and the question of whether existing legislation could be improved in the context of Brexit-related work, as raised by the Strathclyde centre for environmental law and governance.

What all of that emphasises is that there are a lot of people who are very interested in the issue. We have had a phenomenal amount of responses that are supportive of the actions and the petition. I recommend to the committee that we continue this petition and write to the Scottish Government to follow up the issues that I set out.

10:45

**David Torrance:** I agree with my colleague that we should write to the Scottish Government to get its views on the points raised by Scottish Land & Estates, NatureScot, the John Muir Trust and Strathclyde centre for environmental law and governance, and I agree that we should keep this petition open.

**Tom Mason:** Yes, this is an important area. Scotland is in a unique position to demonstrate to the world what can be done in terms of forestry and the ecosystem that we have available in Scotland. Therefore we must keep this petition open and we need to write to the Scottish Government to make sure that the various issues are addressed and progressed and to ensure that they remain live as we go forward. It is particularly important that as we change—[Inaudible.]—next year and onward.

**Gail Ross:** This is an important petition. We need to get a response from the Scottish Government to all the views that we have received and I think that more needs to be done to protect our native woodland. There are specific issues that have been brought up that we need to pursue further, so I agree with my colleagues on the course of action that has been suggested.

**The Convener:** I think that people recognise that this issue might not be front and centre in people's minds and might not be something that is focused on and discussed in detail in the mainstream work of the Parliament. Therefore, it is important to take on board the suggestions that have been made already about writing to the Scottish Government and asking for its views on the evidence that we have received from Scottish Land & Estates, NatureScot, the John Muir Trust, Heads of Planning and Strathclyde centre for environmental law and governance.

This discussion may prompt further submissions, but I think that we agree that we are interested in what the Scottish Government's view is and that there should be further statutory protection. That particular issue is one on which we would welcome a response on from the Scottish Government.



## Neonates (Brain and Body Scans) (PE1823)

**The Convener:** PE1823, lodged by Sameena Javed, calls on the Scottish Government to offer full body scans to all neonates in Scotland, with the aim of detecting and—it is to be hoped—treating rare and hidden conditions.

Responses have been received from the Royal College of Obstetricians and Gynaecologists, the Royal College of Physicians of Edinburgh, the Scottish Government and the petitioner. The medical organisations do not support the petitioner's proposal for full body scans, but the RCOG supports the petitioner's proposal for research into rare and hidden conditions, such as brain arteriovenous malformation. The petitioner acknowledges the risks and the resource issues that those organisations have outlined but reiterates her point that body scans for neonates should be offered as an option to all parents.

The Scottish Government explained that the UK National Screening Committee, which is an independent advisory group, advises ministers and the NHS in the four UK countries on all aspects of screening, including the potential for any new screening programmes.

This is a very difficult petition. We have already reflected on the petitioner's courage in lodging it as a consequence of her experience, but it weighs very heavily with me that the medical organisations do not think that what is proposed would address the problem that has been identified and believe that it might have unintended consequences. I am not sure what the difference is between a body scan being offered as an option to parents in circumstances in which that would be thought necessary and full screening, but I think that it is extremely important that more research is done on rare and hidden conditions such as AVM. If that could be progressed, that might be a lasting outcome from the petition.

I ask members for their views, starting with David Torrance.

**David Torrance:** The key to our consideration of the petition is that the medical profession does not support it. Evidence from the profession states that full body scans for neonates would not be a good option, given the risks and other issues.

Like the convener, I think that the best way forward for the petition would be for more research to be carried out into things such as rare genetic diseases. I think that that is where it should go. I am happy for us to close the petition under rule 15.7 of the standing orders, on the basis that the medical profession does not support it.

**Tom Mason:** The medical profession is very concerned about keeping the balance, and it does not believe that it is the case that general scanning for any disease is beneficial; indeed, it thinks that some high risks might result from that.

We have managed to highlight the issue sufficiently, and I think that we have no option but to close the petition under rule 15.7. We could write to the Government to make sure that it maintains research in the area of general scanning, because it is important to ensure that the issue is not lost.

**Gail Ross:** The research element is extremely important. I take into account the evidence from the clinical experts and the medical profession, which says that the course of action that the petition asks for is not the way to go and makes a suggestion about the research side. Therefore, I agree that writing to the Scottish Government to ask it to ensure that such research is conducted would be a good course of action, but given the evidence that we have had back from the medical profession, I think that we have no choice but to close the petition under rule 15.7.

It is mentioned in our papers—I think that it was the petitioner who mentioned it—that new technology is available, which takes the form of a cap that can be used for babies, and I would be interested to find out whether that is progressed as well; it could well be part of the research that is being done.

I again thank the petitioner—it is a very difficult situation for them—but I think that we should close the petition under rule 15.7.

**Maurice Corry:** I thank the petitioner for their petition, which has brought the issue to our attention. Based on the evidence that we have received from the medical profession, I think that we have no alternative other than to close the petition under rule 15.7 of the standing orders. I agree with my colleagues on all the points that have been made about writing to the Scottish Government and to the petitioner in accordance with what we have just discussed. I think that we should close the petition at this stage.

**The Convener:** I think that there is agreement that we should close the petition on the basis that there does not seem to be evidence that offering full body scans to neonates would be a good option on medical grounds, given the risks and other issues. We think that research should be carried out into rare and hidden conditions, and we will write to the Scottish Government in that regard. It has also been suggested that we write to the petitioner to suggest that she put forward evidence, as described by the RCPE, to the UK National Screening Committee to recommend

implementing screening for neonates for AVM, so that it would at least have information on that.

We are agreed that we want to close the petition. As has been said, we thank the petitioner for engaging with the Public Petitions Committee and highlighting what is a rare condition, but one that has a huge impact on those families who have experience of it. We thank her for engaging with us and taking the issue forward.

### **First-time Buyers (Financial Support) (PE1827)**

**The Convener:** PE1827, lodged by Chloe Bird, is on the provision of support for first-time buyers in areas with higher house inflation. It calls on the Scottish Government to increase the help-to-buy threshold to £250,000 and to extend the deadline for the first home fund.

The committee has received a response from the Minister for Local Government, Housing and Planning in response to its questions from our meeting on 25 November 2020. The petitioner was invited to respond but has not responded to date.

The extent to which we support people and how the effectiveness of the purpose of the policy of the Scottish Government or whoever is affected by economic change is an interesting issue. There is no doubt that, in some areas, house prices have gone up post-lockdown, simply because there was a backlog of people who were able to move, but that might change again; we do not know.

I am interested to hear members' views, starting with Tom Mason.

**Tom Mason:** Getting first-time buyers and young people into the housing market has always been and will, I think, continue to be an issue. There is undoubtedly an increasing expectation that housing should be provided, although I am of an age that I can recall when taking on the parents' house up to quite old age was common, so in some ways I am quite envious of the situation.

The situation is as it is, but I think that the petitioner has managed to achieve quite a bit of what they asked for, in as much as the first home fund has been extended and the threshold has been increased to £250,000. Progress has been made and, at this stage, I do not think that the petition can achieve too much more than that. The petitioner can always open up a new petition when things settle down in the new session of Parliament, so I think that it is appropriate for us to close it at this stage.

**Gail Ross:** I agree with everything that has been said. It is an important issue. In my constituency, there is a real issue with first-time

buyers, although there is help out there for such people.

I think that Tom Mason is absolutely right. The petitioner's proposals have been met, and I do not think that there is anything further that the Public Petitions Committee can do, so I agree that we should close the petition.

**Maurice Corry:** I agree with my colleagues' comments. It is an extremely difficult area. We are short of housing in general, so we need to build more of it, including affordable homes. At this stage, I have no option other than to recommend that we close the petition under rule 15.7 of the standing orders, and that we make sure that the appropriate bodies are made aware of the need that our nation has for such support.

**David Torrance:** I support my colleagues' comments, and I am happy for us to close the petition under rule 15.7 of the standing orders.

11:00

**The Convener:** Thank you very much. First, I am encouraged by the fact that the petitioner's proposal for the deadline for the first home fund to be extended to March 2022 has been met. Secondly, the minister has explained why the current threshold is at £200,000 and has said that an evaluation of the scheme will be considered in 2021. I think that that will be important because, at that point, I hope that there would be engagement on the issue of house prices in different parts of the country and the consequences of house inflation.

I am content for us to close the petition on the basis that I am absolutely confident that the question of the balance when it comes to how we subsidise housing will be part of future parliamentary discussions. It is a question of how we build houses, how we build houses for social rent, how we support first-time buyers and how we get the balance between those right in a housing market that will be complicated by the pandemic. I am absolutely sure that that will be discussed in the new session of Parliament as part of any Covid recovery. However, as has been said, progress has been made. We know that if progress does not continue to be made in the future in Parliament, the issue could perhaps form the subject of a petition to our successor committee at a later stage.

We thank the petitioner for highlighting such important issues. I have no doubt that she will continue to pay attention to Government policy in that regard and to ensure that it is the focus of political attention. We thank her for her involvement.

### **Employment Support (Local Authority Boundaries) (PE1828)**

**The Convener:** PE1828, lodged by Matthew Goundry, calls on the Scottish Government to ensure that people using Skills Development Scotland funded welfare to work agencies can access employment opportunities in any area of the country.

Since our last consideration of the petition in November 2020, the committee has received submissions from the Scottish Government and the petitioner. The Scottish Government outlines nationally available employability support, including the national transition training fund, individual training accounts, the “No one left behind” approach and the employability fund. It also notes support that is targeted at young people, including the young person’s guarantee and Community Jobs Scotland.

In his response, the petitioner states that he is aware of the national transition training fund. However, in his experience, the fund is not well known in local agencies.

Do members have any comments or suggestions for action? This is an important area of work. I guess that the balance to be struck in many such issues is in how we make sure that work on employability and supporting people into work reflects local economies and local experiences and issues, while ensuring equity of access to opportunities that are funded by the Government.

**Gail Ross:** The response from the Scottish Government proves that there is a lot of focus on jobs at the moment, especially in relation to young people. That gives me some comfort about connecting jobs to the people who need them. I agree that if there are funds that are not well known, more should be done so that we ensure that young people are able to access the right help and support and any funding that is available. That is essential, especially in the times in which we find ourselves.

I am content that there are many ways in which people can be assisted to find a job that suits them or a job that is available for them. I am not sure that the committee can take the petition any further. However, if we close it under rule 15.7 of the standing orders, I would want also to write to the relevant minister to highlight concerns—especially the concern that the national transition training fund is not well known—and to encourage the Scottish Government to consider how it will promote that and other employability schemes in the future. On that note, I say that I think that we should close the petition.

**Maurice Corry:** I endorse all the comments that my colleague has made—in particular, the suggestion to draw attention to concern about the national transition training fund, which I absolutely agree is not well known. I have had people in my region ask questions about it. The Scottish Government needs to consider promoting it much better; communications on it are not good. Many years ago I experienced a similar situation myself. We were not getting support for jobs that were outwith the area. This is one of the things that the Government in those days brought in in a different way, through local authorities.

I have full sympathy with the petitioner. I thank them for lodging the petition. It makes a very important point. I also commend the work that SDS does in a very important area. If we are going to take things forward it is absolutely right that we get the message out about the national transition training fund.

Therefore, I recommend that, because there is nothing more we can do with the petition, we close it, under rule 15.7 of the standing orders.

**David Torrance:** I totally agree with everything that my colleagues have said, especially on the national transition training fund. I am happy to close the petition.

**Tom Mason:** I agree with my colleagues. The issue of skills development and employment is important, particularly as we go forward, post Covid-19. If there are funds available, the onus is on the Government to make sure that they are fully used. We must question the Government—it is always short of money—to make sure that it is spending the money in the most effective fashion. That will clearly indicate where the need is. We should close the petition and write to the minister to make sure that the right publicity and information are available to potential users, which is important.

**The Convener:** Thank you very much for that. The committee agrees to close the petition. We recognise how important the work is at this particular time. It has always been important, but it is even more so now, because we have no proper awareness yet of the scale of potential unemployment. It is important that people be supported into different work and that they know what they are entitled to, so that the Government does not announce money being available that then has no impact on people’s lives. We are living through very anxious times.

This has been an important opportunity to highlight issues and ensure equity of access to what is being delivered. We will close the petition and write to the Minister for Business, Fair Work and Skills to highlight the petitioner’s concern that the national transition training fund is not well

known, and to urge the Scottish Government to consider how it will promote that form of employability support in the future. I think that there is a general truth there.

I am confident that the matter of how we make real opportunities in terms of work for people who have been severely affected by the pandemic will be part of mainstream discussion in the new session of Parliament.

We thank the petitioner and trust that, in looking for work and so on, he has access to good opportunities that he is able to draw on. We thank him for engaging with the committee.

### **Intensive Care Wards (Designated Visitors) (PE1829)**

**The Convener:** Finally, PE1829, lodged by Tracy Phillips, calls on the Scottish Government to allow a designated carer or family member into intensive care wards to visit, support and care for their loved ones.

Since our last consideration of the petition in November, we have received written submissions from the Scottish Government's national clinical director and the petitioner. The national clinical director states that, in conjunction with Health Protection Scotland and Public Health Scotland, guidance has been reviewed and is aligned with policies and recommendations in terms of infection prevention and control. The guidance has been written to allow clinicians the flexibility to exercise their judgment with regard to patient needs.

The submission also states that directors of nursing and person-centred leads representing each of the Scottish health boards convene in a fortnightly forum. The forum provides an opportunity to share experiences of current visiting restrictions, their impacts and how the guidance is helping staff to manage visiting.

In her response, the petitioner reiterates that she believes that had she been able to visit her sister, it would have led to less stress and frustration for her sister and would have reduced the burden on hospital staff.

This is an important and challenging petition. We know that the matter is one with which health and care staff are all wrestling. It is about managing risk, managing infection and trying to ensure that we address the pandemic, while understanding the personal costs. We have heard over the past couple of days a lot of testimony about the impact of Covid and losing loved ones, and the impact of not being able to do the things that one would normally do.

I am not confident to say what the resolution would be, but I feel very strongly that we and the Government need to engage with the matter

seriously. We know that we are in exceptionally difficult times; it is a challenge to do risk assessments and to take action to manage the suffering that people are dealing with. Whatever we decide, we acknowledge the petition and the testimonies that we hear every day. It is important that the Government hears them, too.

**Maurice Corry:** This is, as the convener said, a very sensitive and powerful petition that we will consider carefully. From the national clinical director's advice about what is currently in place, it is fair to say that the big issues are obviously risk of infection and prevention of infection spreading. That applies first and foremost to patients in care homes and, therefore, to anybody visiting them.

I am happy with the national clinical director's statement to us, and I appreciate the petitioner's responses and her questions. I feel very strongly for her, and about our loved ones being denied normality when they come to the end of life in the very difficult circumstances in care homes and hospitals.

The guidance that has been given to the health boards and which is in place in hospitals is regularly reviewed. Clinicians have flexibility to apply their clinical judgment in application of the guidance, and best practice is regularly shared across health boards through directors of nursing and the person-centred leads forum. Individual cases are also considered. In those circumstances, I am satisfied that we can, under rule 15.7 of the standing orders, close this very important and very sensitive petition, notwithstanding the points that we have made and the advice that has been given by the national clinical director about protecting patients and visitors to care homes and hospitals.

**David Torrance:** I agree with my colleague. The key is the submission by the national clinical director, which gives a very good explanation of hospitals' and clinicians' flexibility—in particular, clinicians' flexibility to apply their clinical judgment to application of guidance on patients' needs. I am happy to close the petition, under rule 15.7 of the standing orders.

**Tom Mason:** This is a sensitive issue that must be handled carefully. We do not want heavy-handed regulation. The way the matter has been handled through guidance after real consideration is the way forward. It will allow each situation to be assessed on its merits, in order to ensure that there is no practice that flies in the face of keeping the right balance between clinical care and the role and needs of the patient's family. The committee has done all that it can, therefore closing the petition would be appropriate, bearing in mind that the matter will be kept under review.

11:15

**Gail Ross:** As has been said, the subject of the petition is a very emotional and difficult subject to broach. The personal circumstances in which many families find themselves at the moment are absolutely heart-breaking. It is difficult for clinicians to strike the balance between patients, staff and families. It is right to give them guidance, but it is also right to give them flexibility to apply clinical judgment. I am satisfied that everything is being done to try to bridge the gap between patients—who are sometimes extremely unwell—and their families, who want to be with them.

We have probably taken the petition as far as we can. We should thank the petitioner—under the circumstances, it was very brave of them to speak out—and close the petition, under rule 15.7.

**The Convener:** Thank you. Everyone recognises the challenges in managing such situations, which include how to avoid making clinicians so risk averse that they will not make individual decisions in such circumstances, while at the same time understanding the challenge of managing infection and the anxieties around that.

As I said, I feel that we have taken the petition as far as we can. In closing the petition, we note that we understand how important the matter is, and we seek reassurance that it will continue to be reflected on by Government and all the others who are involved with it. I know that families have been campaigning on the issue and have been highlighting their experiences.

As we move forward, it is essential that we get the balance right. There is no easy answer, but hearing from families is an asset. The petitioner made the point that the family can play a very positive role in supporting a person's care, which should be seen as a positive thing for somebody who is ill.

I am absolutely confident that the matter will continue to be discussed and wrestled with by everyone. It is important that people's individual testimony is heard, because it helps, as well. This is not a cold issue; it is alive and is about our very humanity.

We agree to close the petition under rule 15.7 of the standing orders. We have found just how fraught the issue continues to be. I want to thank the petitioner very much for taking the time to share her experience and the challenges with us. We trust that the Government and all those making the decisions will be alive to that.

We have reached the end of our consideration of petitions today. I thank the broadcasting team, the clerks and all those who have engaged with the committee. We see from the petitions just how much engagement there has been. We are very

appreciative of all the submissions from those who responded, and of the petitioners themselves.

*Meeting closed at 11:18.*



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