

Tuesday 11 June 2013

SCOTTISH GOVERNMENT

Enterprise and Environment

Rhoda Grant (Highlands and Islands) (Scottish Labour): To ask the Scottish Government for what reason the interim report of Land Reform Review Group focuses on community ownership and whether this reflects a change in the group's remit.

(S4W-15291)

Paul Wheelhouse: The remit of the independent Land Reform Review Group (LRRG) has not changed. The consultation, which yielded 484 submissions, has brought forward a wide range of issues on a broad range of subjects, including farm tenancy issues and issues regarding access. In the view of the LRRG, as set out in its interim report, issues raised regarding farm tenancies represent an area already being considered by the Tenant Farming Forum and as such, the review group, as its interim report states, will now concentrate on taking forward a number of issues in respect of the implementation and geographic impact of community right to buy legislation in order to support communities throughout Scotland in achieving their social, economic and environmental potential. The work of the LRRG will also help to formulate potential approaches to extending right to buy to urban Scotland and will inform consideration of the Scottish Government's community empowerment and renewal proposals.

As was stated during the Land Reform debate on 5 June 2013, issues regarding farm tenants will be considered as part of the review preceding the Agricultural Holdings Bill proposed for later in this parliamentary session.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government what steps it has taken to implement the environmental noise directive.

(S4W-15345)

Paul Wheelhouse: The Scottish Government is using the terms of the European Union Environmental Noise Directive, commonly known as END, to seek to manage and where possible reduce environmental noise. We have published the first round of strategic noise maps (2007) and action plans (2008) in accordance with the terms of the directive at www.scottishnoisemapping.org.

Round 2 is currently underway and the second round of noise maps were published in May 2013. We are working with Transport Scotland, local authorities and others to develop the second round of action plans which will be published for consultation later this year.

Angus MacDonald (Falkirk East) (Scottish National Party): To ask the Scottish Government how many decrofting applications are currently suspended by the Crofting Commission, broken down by parliamentary constituency.

(S4W-15437)

Paul Wheelhouse: There are 44 decrofting applications held in abeyance by the Crofting Commission and these are broken down by parliamentary constituency in the following table:

Parliamentary Constituency	Number of Owner-Occupier Crofter Applications to Decroft held in Abeyance
Na h-Eileanan an Iar	1
Argyll and Bute	2
Skye, Lochaber and Badenoch	16
Caithness, Sutherland and Ross	14
Shetland Islands	10
Orkney Islands	1
Inverness and Nairn	0
Moray	0
Total	44

I indicated to the Scottish Parliament's Rural Affairs, Climate Change and Environment Committee, during Stage 1 of the Crofting (Amendment) (Scotland) Bill on 22 May 2013, that there were 50 decrofting applications held in abeyance.

However, as I indicated on 6 June 2013 during that Bill's Stage 1 Debate, the Crofting Commission has undertaken further processing of those applications and it has been established that 6 of those 50 applicants do not meet the definition of "owner-occupier crofter" as set out in the Crofters (Scotland) Act 1993, as amended by the Crofting Reform (Scotland) Act 2010.

The Crofting Commission is holding these 44 applications in anticipation of the new legislation coming into force. This is subject, of course, to Parliamentary approval and the Bill receiving Royal Assent.

Rob Gibson (Caithness, Sutherland and Ross) (Scottish National Party): To ask the Scottish Government how many carbon units will be credited to or debited from the 2012 net Scottish emissions account as a result of the operation of the EU Emissions Trading System.

(S4W-15574)

Paul Wheelhouse: Aviation emissions have been included in the EU Emissions Trading System (EU ETS) since January 2012 and therefore, unlike the calculations made for 2010 and 2011, the calculation for 2012 must take account of both the traded sector and aviation.

Under the EU ETS, airlines surrender carbon units in relation to all their reportable emissions at a single operational hub and, very few airlines have registered Scotland as their operational hub. As a result the number of carbon units surrendered in respect of Scotland to the Scottish Environmental Protection Agency (SEPA) is far smaller than total Scottish aviation emissions. In addition, the controversial inclusion of international flights within the EU ETS resulted in "stop the clock" provisions being introduced to enable flights starting/ending outside the EU to be temporarily excluded from the EU ETS in 2012.

In order to calculate the amount of carbon units to be credited to or debited from the net Scottish emissions account, Scottish ministers are only able to take account of carbon units surrendered in Scotland to SEPA. The effect is that emissions in Scotland that have been cancelled by surrenders elsewhere in the EU are counted in Scotland as if there had been no such surrender, which means that the amount of aviation emissions in Scotland in 2012 will appear in the account to be greater than they actually are.

As a result, using the current methodology, carrying out the calculation as required by Regulation 8 of the Carbon Accounting Scheme (Scotland) Regulations 2010, leads to the effect of aviation emissions being over-stated in the account.

Even so, Scottish ministers have as required made the calculation under the 2010 Regulations. Scottish ministers have calculated that in relation to the operation of the EU Emissions Trading System in Scotland during 2012, 4,197,158 units will be debited from the 2012 net Scottish emissions account.

This is a provisional calculation and the Scottish Government will improve the methodology used to make the calculation in the 2010 Regulations so as to provide a more accurate calculation for aviation emissions from 2012 onwards, and intends to bring forward regulations for that purpose prior to the publication of the 2012 Annual Report in 2014.

Governance and Communities

Jamie Hepburn (Cumbernauld and Kilsyth) (Scottish National Party): To ask the Scottish Government when it will publish the report of the Expert Working Group on Welfare.

(S4W-15581)

Nicola Sturgeon: I'm pleased to advise that the report of the Expert Working Group on Welfare will be published today. It can be accessed at:

<http://www.scotland.gov.uk/Topics/People/welfare/welfarereform/EXPERTWORKINGGROUPONWELFARE>.

I am also publishing the Scottish Government's initial response to the group's report, it can be viewed alongside it. A copy of the group's report and the Scottish Government's initial response has been placed in SPICe (BIB numbers 55013 and 55014).

Health and Social Care

Jackie Baillie (Dumbarton) (Scottish Labour): To ask the Scottish Government whether NHS staff who have already signed confidentiality agreements are still bound by the terms of these agreements.

(S4W-15261)

Alex Neil: This is an issue between individual NHS boards and their employees.

NHSScotland does not have any policies which would prevent, or condone the prevention of staff from raising valid concerns about patient safety and quality. Quite the opposite, each health board has a robust "Implementing and Reviewing Whistleblowing Arrangements in NHS Scotland" PIN policy in place.

These policies encourage staff to raise concerns and any clause which sought to prevent an individual from raising a protected whistleblowing disclosure would be illegal and therefore unenforceable.

Mary Fee (West Scotland) (Scottish Labour): To ask the Scottish Government, further to the answer to question S4O-01708 by Alex Neil on 17 January 2013, what progress there has been on its approach to race equality; when its approach will be published; what consultation is planned, and whether this approach is informing work on its (a) autumn budget considerations and (b) white paper on proposals for independence.

(S4W-15294)

Shona Robison: We recently published our current thinking on how race equality should develop over the next three years. During the summer we will work with stakeholders to develop the approach to be taken and we will publish the refreshed statement in the autumn. This will provide more detail on how we intend to take forward our plans in practice.

We will initially focus on working with key strategic partners to collate the research work already carried out in Scotland, followed by wider collaborative working with stakeholders to plan and shape a draft outline of our approach. The draft statement will then issue for consultation.

- a) The publication of the draft statement for consultation will coincide with the autumn budget considerations. The above process will help to inform those considerations and will be relevant in the context of spending proposals
- b) This work will help inform the work around constitutional reform.

Mary Fee (West Scotland) (Scottish Labour): To ask the Scottish Government, further to the answer to question S4O-01708 by Alex Neil on 17 January 2013, whether its approach to race equality will include visible and invisible minorities in Scotland; what communities it regards as visible and invisible minorities, and whether and how issues of multiple or intersectional identity are being considered in its approach.

(S4W-15295)

Shona Robison: Our work on race equality and tackling racism acknowledges that minority ethnic communities include those who might be described as both visible and invisible minorities as ethnicity is not always identifiable by physical characteristics.

We recognise that there are many different groups living in Scotland with different heritage and some coming from different parts of the world, each has a right to be treated with respect and to live free from discrimination and prejudice. We recognise that people from minority ethnic communities may also experience issues as a result of their gender, age, faith, sexual orientation or disability, compounding the disadvantage or discrimination.

Our work will continue to explore the complexities of people's multiple identities and the links between the other equality strands. This has long been an issue of concern and we acknowledge that

there is still much to be done. It is a very complex area and needs to be addressed as part of the dialogue with stakeholders to explore how we can work towards a solution.

Mary Fee (West Scotland) (Scottish Labour): To ask the Scottish Government, further to the answer to question S4O-01708 by Alex Neil on 17 January 2013, what criteria it (a) applies and (b) will apply in its approach to race equality on (i) prioritising issues, (ii) deciding on funding and resourcing; whether and how visible or invisible minority status is part of this criteria, and whether funded organisations are monitored on their adherence to non-discrimination practice, including in relation to visible and invisible minorities.

(S4W-15296)

Shona Robison: Funding is provided to organisations to fulfil projects or programmes of work and on the basis of outcomes outlined in either business plans or funding applications. Grant levels and conditions are determined accordingly. The general approach to funding and to the criteria which is applied for example in the Equality Fund is based on Scottish Government strategic priorities, identified needs in communities and on the experience and views of stakeholders.

The approach we adopt and the priorities we identify in future will be based on dialogue with stakeholders, consideration of the need and evidence, the strategic priorities of the Scottish Government and with reference to legislation and the work around the public sector equality duty. We will determine our approach in partnership and collaboration with interests and stakeholders over the next few months.

Our work on race equality acknowledges that ethnicity is not always identifiable by physical characteristics and as such encompasses those who might be described as visible and invisible minorities. Our funding is directed as outlined above. Whilst projects designed to assist both visible and invisible minorities are supported, funding is not directed and determined on that basis.

Organisations that receive grant funding from the Scottish Government are required to agree by the conditions of the grant which include adherence to equality legislation. Organisations provide reports on their progress regarding the project or programme of work.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government what discussions it has had with (a) the UK Government and (b) other EU member states on the H7N9 influenza virus.

(S4W-15317)

Michael Matheson: On behalf of Scottish Government, Health Protection Scotland (HPS) routinely participates in global networks that monitor emerging health issues such as AH7N9 in China.

Under the International Health Regulations (IHR) (2005), the UK Government has designated Public Health England (PHE) as the UK's National Focal Point for communications with the WHO (World Health Organisation) IHR Contact Point. PHE shares all relevant WHO IHR communications with HPS.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government whether it is aware of new technologies that might lead to the faster production of an influenza vaccine.

(S4W-15318)

Michael Matheson: The need for faster production of influenza vaccines is recognised. The World Health Organisation, academic researchers and vaccine manufacturers are all engaged in assessing new technologies for the production of vaccines against influenza viruses.

The results of any significant developments are shared with Scottish Government at meetings of the Joint Committee for Vaccination and Immunisation (JCVI) who provide expert advice on vaccination and immunisation policy and in academic output available internationally. The Scottish Government is represented on the JCVI by one of its Senior Medical Officers, who has responsibility for vaccination and immunisation issues.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government for what reason the number of full cycles offered for IVF treatment in some areas has been reduced to (a) two for people under 40 and (b) one for people over 40.

(S4W-15346)

Michael Matheson: The Expert Infertility Group, set up in 2010 to ensure equity of access to IVF treatment across Scotland, recommended moving to a guaranteed maximum of two fresh cycles of IVF, and unlimited, where available, frozen IVF transfers for all eligible patients up to their 40th birthday. Patients over 40 were not previously offered treatment, but will, if they meet specific criteria, now receive one full cycle of treatment.

The government has a commitment for a 12 month waiting time for IVF to be in place across Scotland by March 2015, and £12 million is being invested to support the commitment. This funding has already significantly reduced waiting times in some areas, and will along with consistent access criteria, guarantee equitable provision of IVF treatment across Scotland.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government against what (a) outcomes and (b) comparators the Family Nurse Partnership (FNP) programme will be assessed and at what time intervals.

(S4W-15348)

Michael Matheson: The FNP programme will be assessed on the following outcomes and time intervals:

(a) Outcomes associated with the programme have been defined in our monitoring and evaluation framework that supports the ongoing evaluation in Scotland. Since our last response to evaluation, we have subsequently produced the third interim evaluation report in December 2012, with the fourth interim evaluation report a summary report due in late September 2013.

Third interim evaluation report – *infancy* (published on 21 December 2012):

<http://www.scotland.gov.uk/Publications/2012/12/4237/0>

This was not an impact evaluation, however we have reported on, or intend to report on, routinely collected data on the following indicators which are the outcomes demonstrated in the United States research:

Smoking in pregnancy at 2 time points in pregnancy

Birthweight and gestational age of infants

Percentage of immunisations completed by children from birth to two years old.

Percentage of infants that are breastfed following birth and duration of breastfeeding

Number of Accident and Emergency visits and hospitalisations for injuries and ingestions for children birth to two years old

Number of subsequent pregnancies and mean interval between first and second pregnancy

Number of months women participated in the workforce

Number of months families used other programmes (eg breastfeeding support, etc)

Involvement of fathers and other family members in the programme

There are also a range of key performance indicators that we expect each FNP site to report on periodically to demonstrate they are implementing the core model elements of the programme. These include use of data forms, learning events and supervision sessions.

(b) The comparators on which the Family Nurse Partnership programme could be assessed will be given due consideration once the full evaluation report is produced.

As part of the licensing agreement for FNP in Scotland, we are required to take cognisance of the ongoing Randomised Controlled Trial (RCT) in England. The first report on this is due early in 2014, and Scotland will be required to share similar data on the key outcomes and indicators on which the RCT is based.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government how it will ensure that pregnant women assessed as being more vulnerable than those eligible for the Family Nurse Partnership programme will receive similar intensive support.

(S4W-15349)

Michael Matheson: The Refreshed Framework for Maternity Care in Scotland was launched in 2011 to ensure that maternity services maximise their contribution to ensuring the best possible health for mother and baby. At the first booking appointment the Scottish Women Handheld Maternity Record is completed and includes comprehensive holistic risk assessment following which care is individualised to a woman's needs. Women with complex health and social care needs will have additional antenatal and postnatal support and care suited to their needs as well as signposting to other services as appropriate.

Richard Simpson (Mid Scotland and Fife) (Scottish Labour): To ask the Scottish Government what the prevalence rates for children aged 0-16 (a) were in 2007 and (b) are of (i) language disorders, (ii) severe learning difficulty, (iii) moderate learning difficulty, (iv) developmental coordination disorders (DCD), (v) attention deficit-hyperactivity disorder, (vi) autistic spectrum disorders, (vii) fetal alcohol syndrome, (viii) physical impairment other than DCD and (ix) profound and multiple learning difficulties.

(S4W-15355)

Michael Matheson: The requested information is not held centrally. The four year surveillance research project (funded by the Scottish Government and previously referred to in the answer to question S3W-39210 on 8 February 2011 the epidemiology of Fetal Alcohol Syndrome (FAS) is due to report in July 2014.

All answers to written parliamentary questions are available on the Parliament's website, the search facility for which can be found at:

<http://www.scottish.parliament.uk/parliamentarybusiness/28877.aspx>.

John Scott (Ayr) (Scottish Conservative and Unionist Party): To ask the Scottish Government what progress it is making on delivering IVF treatment locally for NHS Ayrshire and Arran patients.

(S4W-15420)

Michael Matheson: NHS Ayrshire and Arran provides IVF treatment for its patients through an agreed contract with NHS Greater Glasgow and Clyde. NHS IVF treatment is carried out in specialist centres in Aberdeen, Dundee, Edinburgh and Glasgow on behalf of all NHS boards in Scotland.

Learning and Justice

Alison Johnstone (Lothian) (Scottish Green Party): To ask the Scottish Government how it supports the employment of young people with learning disabilities and other additional support requirements in supported businesses and how this will be affected by the forthcoming learning disability strategy.

Holding answer issued: 10 June 2013

(S4W-15201)

Angela Constance: The Scottish Government recognises that staying in learning post-school is the best way for all young people to develop the skills and knowledge that they need to compete in the world of work wherever possible. Through opportunities for all, every 16 to 19 year old in Scotland who is not currently in employment, education or training will be offered a place in learning or training should they want it.

It is our ambition that, with the right support, young people with learning disabilities who want to work, are able to find work in mainstream employment, suitable to their skills. Supported employment, where disabled people learn on the job, with support from colleagues and a job coach can play an important role in this. Local authorities across Scotland offer supported employment services to all disabled people, including those with learning disabilities and additional support needs.

This government is currently providing funding to the Scottish consortium for learning disability to develop project search, an employability transition programme aiming to support young people with

learning disabilities into sustainable employment. It is currently being developed in nine sites across eight local authority areas in Scotland with more sites coming on board this year.

We believe that supported business has a valuable role to play and that they should increasingly be used as a stepping stone towards mainstream employment. The findings of an independent review of Scotland's supported businesses, commissioned by the Scottish Government, will help to strengthen the long term viability of these businesses and make them become more attractive to young people with learning disabilities.

Our new national learning disability strategy, The Keys to Life, will be launched on 13 June 2013. It will encourage that by 2018 the learning disability implementation group works with local authorities, NHS boards and third sector organisations to develop a range of supported employment opportunities and that those organisations should lead by example by employing more people with learning disabilities.

Kezia Dugdale (Lothian) (Scottish Labour): To ask the Scottish Government whether it will fund the Education into Enterprise project beyond May 2013 and what the reasons are for its position on this matter.

Holding answer issued: 10 June 2013

(S4W-15224)

Angela Constance: The Education into Enterprise project is funded by the Scottish Funding Council (SFC). I have asked the SFC's interim chief executive to write to you in connection with this matter.

Jenny Marra (North East Scotland) (Scottish Labour): To ask the Scottish Government what action it is taking to implement the European directive on human trafficking and what information it has regarding the activities of the anti-trafficking progress group that was established at its human trafficking summit on 18 October 2012.

(S4W-15246)

Kenny MacAskill: I consider that Scotland is already broadly compliant with the requirements of the directive. The Anti-Trafficking Progress Group is taking forward the 11 priority action points identified and agreed at the summit in October 2012. These actions include training and awareness raising; improving victim support and care, and considering whether there are any gaps in legislation. The group will meet again shortly to review progress so far and is scheduled to report back to a re-convened summit in 2014. We have also given a commitment to bring forward a human trafficking statutory aggravation and will do so shortly.

Kevin Stewart (Aberdeen Central) (Scottish National Party): To ask the Scottish Government, further to the answer to question S4T-00377 by Kenny MacAskill on 28 May 2013 (Official Report, c. 20315), what recent communications it has had with the UK Government regarding extraordinary rendition and whether Aberdeen, Inverness and Wick airports have been used by the US Central Intelligence Agency for this purpose.

(S4W-15298)

Kenny MacAskill: As I indicated in response to Patrick Harvie's question on 28 May 2013, there has been no communication with the UK Government regarding extraordinary rendition flights using airports in Scotland. The Scottish Government remains strongly opposed to illegal rendition flights.

The Crown has made clear how strongly it would view the matter and the Lord Advocate indicated on 5 June 2013 that he has asked Police Scotland to consider the information provided by the Rendition Project undertaken by researchers from Kent and Kingston Universities.

The police and the Crown can act only if information is passed on, and if anyone has any evidence of lawbreaking of this sort, they should come forward with it and help justice to be done.

Margaret McDougall (West Scotland) (Scottish Labour): To ask the Scottish Government how many people from (a) England and (b) Wales have accepted places at universities in Scotland in each of the last five years.

(S4W-15438)

Michael Russell: The number of English and Welsh domiciled entrants to higher education in Scottish Higher Education Institutions (HEIs) in the last five academic years is provided in the following table. (Latest figures are for the academic year 2011-12.)

Entrants to higher education in Scottish HEIs by domicile, 2007-08 to 2011-12:

	Domicile of entrant	
	England	Wales
2007-08	7,020	250
2008-09	7,460	225
2009-10	8,370	270
2010-11	7,585	220
2011-12	7,360	255

Source: Higher Education Statistics Authority (HESA)

The table includes entrants to all levels of study in HEIs including: postgraduate, first degree and sub-degree.

Data rounded to nearest five.

Transport Scotland

Anne McTaggart (Glasgow) (Scottish Labour): To ask the Scottish Government what its position is on reports of high levels of metallic particle pollution in the Glasgow Subway.

(S4W-15247)

Keith Brown: Strathclyde Partnership for Transport is responsible for operating and maintaining the Glasgow Subway and is, therefore, responsible for monitoring air quality in the subway and ensuring it complies with legal requirements. Workplace exposure limits for metallic particles are set and enforced by the Health and Safety Executive.

Anne McTaggart (Glasgow) (Scottish Labour): To ask the Scottish Government what provision has been made to ensure that a member of staff trained in first aid is present on all ScotRail services.

(S4W-15249)

Keith Brown: ScotRail provides basic first aid training to all staff when they join the company. First aid kits are held on trains and stations across the rail network, and a protocol is in place to summon assistance when requested or appropriate via communication with the train driver. This allows trains to be stopped at a safe location to allow paramedics to gain access.

Furthermore ScotRail is currently training all drivers, ticket examiners and conductors on the Heartstart Programme.

The following questions received holding answers:

S4W-15243

S4W-15244

S4W-15245

S4W-15274

S4W-15280