In looking back at the SCC's work over the past 6½ years, this paper identifies policy initiatives taken and recommendations made, and it tries to assess in a rough and ready fashion where we have been fairly successful, where we have been less so, and what conclusions can be drawn.

In the process, areas of work may be suggested where we have previously been active and already have a policy, but where progress has not been monitored. In some of these areas renewed SCC involvement might be straightforward and potentially fruitful. Even if short-term success is not guaranteed, if the issue is of importance to consumers their needs may merit restating.

There are (at least) three limitations to the way this paper has been done. First, I have not ransacked all of the files from the SCC's earliest days, and have concentrated on the more important published documents from that period. Secondly, I have not listed all the recommendations made in each report, and I could have ignored some important areas. Thirdly, I have put less emphasis on work which is receiving current attention by Council, such as CORA and Access to Information.

For convenience, I have used the main work programme headings.

Any firm conclusions which emerge from the discussion on February 5th will then be presented to Council in the 1982-3 Work Programme paper.

A. **HOUSING**

1.1 **Introduction**

SCC and NCC have been active from the start in identifying the consumer interests in housing, particularly the rented sector. Most of the SCC's work has concentrated on the public rented sector, and one of the SCC's earliest reports was "Tenancy agreements in Scotland".

1.2 **Tenancy Agreements**

The SCC Tenancy agreements work was done at the same time as the NCC's work south of the border. However, the SCC's initiative was taken in the absence of any Scottish Office circulars or publications on local authority conditions of tenancy, which contrasted with the position in England and Wales. The SCC report discovered overwhelmingly one-sided missives of let, with the tenant's legal rights not stated or on occasion misrepresented, and the local authority's obligations frequently absent entirely. SCC therefore recommended a Model Agreement (somewhat different from and much shorter than the NCC's) which would clearly set out mutual rights and obligations. SCC also proposed that councils should issue a more detailed tenants handbook. SCC called for active tenant participation in the revision of existing agreements, and stressed its belief that tenants should have the ability to participate generally in the shaping of local housing policy. It was recognised that the spirit of agreements between tenants and councils were as important as the letter.

1.3 SCC also committed itself to two specific changes in the law: security of tenure for council tenants (i.e. closer scrutiny by the Courts of possession orders) housing authority responsibility for the homeless. SCC also called for more information on rent and rate rebates to be provided by housing authorities for their tenants.

1.4 Public reaction to the report was good, the Scottish Office was sympathetic, and some authorities were embarrassed enough to withdraw some of their worst misrepresentations. On the two changes in the law, SCC participated in the Scottish Homeless Group in early 1977 which successfully achieved the shift in statutory responsibility for the homeless (which the Morris Report had earlier called for) and in 1978 the then Government proposed a tenants charter which involved "security of tenure" for council tenants. On both these issues SCC's report and its campaigning undoubtedly helped to influence the development of opinion in Scotland, but it is hard to assess to what extent, particularly since parallel developments were occurring in England and Wales and the debates had started early in the 1970's.

1.5 On the specific matter of tenancy agreements, however, SCC did start the debate in Scotland. At government level SCC was apparently very successful since when the Tenants Rights etc Bill emerged it contained a specific provision for tenants to have a right to a written tenancy agreement, unlike the English bill, and tenants were to be able to challenge unreasonable conditions of tenancy in the courts. On this at least the SCC can claim much of the credit.
1.6 However, the extent of change in actual agreements issued by housing authorities is much more open to question, both in the wake of the SCC report and since the 1980 Tenants Rights Etc (Scotland) Act. Current work by Graham Atherton will give us some sort of answer, but early indications were that only two local authorities' agreements had followed the SCC's proposals. Most use excessively legal language and retain an unsympathetic tone.

1.7 SCC's early comments on the Tenant's Rights legislation did highlight the need for authorities to have a duty to provide tenants with information written in plain language about their rights...." The failure of Parliament to enact this particular proposed amendment appears to have had predictable consequences.

1.8 Many of the other SCC submissions made on the "tenants charter" part of the 1980 Bill were incorporated, but SCC can only claim minor responsibility for this. Shelter attended the entire Committee stage and were directly responsible for the adoption of most of the successful amendments which we supported.

1.9 The passing of the Tenants Rights etc. (Scotland) Act 1980 is a milestone in formalising the relationship between housing authorities and their tenants. Along with the increasingly professional nature of housing management itself, the worst sort of patronage and crass incompetence in council housing should become increasingly a thing of the past. However, our work on council housing repairs indicates one area where problems are likely to persist.

1.10 Housing Repairs "Houses to Mend: a survey on council house repairs in Scotland" was published by SCC in 1978. This work followed on directly from the tenancy agreements report, and was done in response to a formal remit being given by the then DPCP to NCC. A household survey was carried out across the UK by NCC, and five Scottish housing authorities and policies and practices were examined by Graham Atherton. The SCC working party included representatives from tenants groups and other organisations.

1.11 Thirty-nine formal recommendations were put forward. Some stressed general SCC themes, such as the need for clear information and advice, informal dispute adjudication, and others repeated themes from the tenancy agreements report, such as the need to review agreements, desireability of issuing handbooks (for which evidence was given) and the benefits of tenant participation. Most of the recommendations were based on the best practice of existing housing authorities including the SSHA, and were directed at council landlords. One specific change in the law which was proposed was that council tenants should be able to apply for improvement grants: this came in the 1980 Act. Out of the 39 recommendations, ten "action points" were drawn, which SCC stated could be done quickly and inexpensively by landlords.
1.12 The response to the report was generally favourable, certainly at the Planning Exchange seminar held to discuss it. If anything the report was more favourably received by housing managers, or at least by those who responded, than by the Scottish Office. The then Housing Minister made some uncomplimentary remarks in the Commons, and it later transpired that the SDD researchers were critical of some of the recommendations which did not emerge from the research findings. If SCC has a working party or indeed a Council full of people with lots of ideas, it will always be a temptation to incorporate some of these ideas if they seem sensible. However, it is regrettable if this "open mindedness" serves to weaken the main conclusions of a report which emerge incontrovertibly from the vigorous analysis of evidence, as may have happened with Houses to Mend.

1.13 Since "Houses to Mend", the superiority of a planned maintenance approach to council housing has been generally accepted by the profession and by authorities. This is largely because SSHA and other progressive authorities have shown by example how it can work, though our own report has been widely circulated and read. Indeed in 1980 we had a renewed sales drive for Houses to Mend, which indicated that many people in housing had never heard of it, and two years after publication it became the SCC's best selling report once again! It sold to representatives of landlords and tenants.

1.14 The Tenants Handbook was commissioned from ASSIST in the wake of Houses to Mend, and was to be aimed as a practical guide for tenants group, the earlier report having been a policy document. Some three years later it is nearing publication. SCC may wish to monitor the handbook's impact over the next 12 months.

1.15 It might also be worthwhile to repeat of the household survey which was done for Houses to Mend five years ago, and to survey housing authorities repairs systems. The NCC's Consumer Concerns study shows that council bureaucracy still causes much consumer dissatisfaction, and that planning and housing departments are among the worst. In Scotland this may be especially the case.

1.16 Private Sector Tenants.

In 1977 SCC published "Consumers and the Rent Acts", which was in response to the SDD's "Review of the Rent Acts: a Consultation Paper". SCC proposed that the many different sorts of private tenancy should be replaced by two kinds of letting: a "tenancy" and an "exempted letting". The former category would cover the great bulk of tenancies, and give full security, registered rents etc. "Exempted lettings" would be established through local authorities granting certificates, after inspection, to landlords of genuine holiday lets, specialised hostels and so on. For regular tenancies there would be standard lettings contracts, and local authorities would also have a copy. Councils would play an active role in the private rented sector, and the need for advice for tenants and information on rent allowances was stressed.
1.17 SCC did not promote this submission particularly actively, and indeed the SDD's review was painfully slow. Practically none of our points emerged in the private sector part of the Tenant's Rights Etc. Bill in 1979/80. Of our submissions made on the private rented sector at that stage, the only point which was accepted by the Scottish Office was that the proposed "short tenancies" should have registered rents. This is now being reversed in England and Wales, because of the general failure of "short tenancies".

1.18 **Home Insulation**

In 1980 SCC published our review of the Homes Insulation Scheme in Scotland, again in parallel with an NCC review. Our recommendations stressed the need for better publicity leaflets and forms (the obscurity of one of the forms was much scorned by the Plain English Campaign), for more public education and advice on benefits of insulation, for more resources, particularly for the poor, less restrictive criteria for eligibility, and a larger role for voluntary bodies. Since the report was published, some modest but enlightened changes in the scheme were introduced by Government, particularly for the disadvantaged. SCC has now commissioned the Scottish Fuel Poverty Action Group to do some follow-up work on home insulation programmes in Scotland.

1.19 **Tenant Participation**

The SCC is about to publish "Tenants Associated", which looks at tenants groups in Scotland. It is a thorough report, based on a survey of tenants and residents associations and on five local authority case studies, and contains recommendations which emerge from the findings. This report will be very actively promoted and distributed amongst landlords and tenants groups.
B. TRANSPORT

2.1 Introduction

SCC involvement in transport issues is much more recent than in housing, more of the work is on a continuing basis, such as on air transport, and so this section is somewhat briefer. There is simply less to dust off and look at again.

2.2 Air Services

SCC involvement in air services began with the publication of "Island Health Care in 1978", which highlighted the transport related aspects of health care in Western Isles. In the course of following up some aspects of that paper, and through our study the consumer problems in remote areas, SCC become involved in air transport issues. This started off in an ad hoc fashion, but the inability of AUC to represent Scottish users' interests and the relative importance of air transport in Scotland, both on "lifeline" and commuter routes, quickly became apparent.

2.3 In July 1979 SCC, specifically Margaret Templeman, produced a basic policy document "Competition Policy and the Scottish Air Traveller", which systematically set out a consumer policy for air travel. This paper called for more effective competition particularly price competition on the main domestic routes (Aberdeen, Glasgow and Edinburgh to London); for competitive tendering on the third-level air routes, who could not enjoy direct competition, with CAA giving licenses to low-cost airlines, with appropriate aircraft and levels of staffing, but safeguarding standards of service; consumer access to information necessary to make a proper case at hearings; a right for consumer representations to be heard at all hearings; and a strengthening of bodies like AUC.

2.4 This document was debated at a forum in September 1979, which was attended by all air operators active in Scotland. Other consumer and user organisations warmly welcomed the SCC's arguments, and the industry treated them with respect. Since then SCC's policy has remained in essence the same, but has adapted to changing circumstances.

In 1981 SCC formally re-endorsed these policy guidelines.

2.5 In terms of legislation, we have had considerable success in achieving greater consumer access to information and the right to be represented, through persuading the Government to amend the 1980 Civil Aviation Bill. This is one legal change for the whole UK which is almost entirely SCC's own work: NCC of course advised and assisted on tactics.

2.6 In terms of making representations at licensing hearings it is of course harder to measure success. CAA has been very cautious in giving rein to competition, and so many initiatives which we have supported have come to naught (eg. BMA). Conversely, SCC has been active at every licensing hearing which has resulted in greater competition on successful old changes to incumbents (eg. Dan-air on Aberdeen-London, Air Ecosse on Aberdeen-Wick). In the absence of AUC, our presence has helped to encourage airlines to stress the interests
of users and to consult local interests, and we have acted as a similar reminder to the CAA.

2.7 Following on from the 1980 Act, the CAA issued a consultative document on economic regulatory policy. SCC not only criticised the document for its over-cautious tone, but we also successfully encouraged other voluntary and user organisations to make their own observations.

2.8 SCC work on air transport continues, with a particular emphasis on airport charges and reform of Domestic Air Tariff hearing procedures. Air transport is an area where we have particular expertise, and where we have had an impact at European level, Margaret Templeman having drafted the CCC's response to the commission's proposals.

2.9 **Ferry Services**

SCC's involvement has been recent and limited. We commented on the Scottish Office's discussion paper in 1980, and published our own discussion paper "Ferry Services for the Scottish Islands" in July 1981, which was written by Tony Mackay. This document stimulated a fair amount of controversy, in particular for its route licensing proposals based on the Norwegian system. The other elements in our policy, for an integrated approach on routes, harbours, vessels and fares, and on subsidies were more generally accepted. An analysis of responses to our paper were sent to the Scottish Office, along with our reply to their 1981 consultation document which had been published at the same time as our discussion paper.

We await a policy statement from government.

2.10 **Urban Transport**

Two papers commissioned from SAPT were published in 1981, "Fares Please" and "Getting There". They were well received at a Planning Exchange seminar. SCC has not formally adopted a policy in this area.
LOCAL SERVICES

3.1 Advice and Information Services

The central importance of advice for consumers was recognised by the SCC from its very earliest days, and "Let the People Know" was published in autumn 1977. This reviewed all the existing generalist and specialist advice services in Scotland, and made some 21 specific recommendations. In general SCC gave priority to a generalist advice centre network, given the inadequacy of the existing geographic coverage of services, to be provided in the main shopping centres around Scotland. Particular attention should be given to the needs of decaying urban areas and of remote rural areas: for the latter, alternative methods of delivering advice should be studied. There should be co-operation between different sorts of agencies on training and information, and local and central government and voluntary bodies should co-operate in planning the network and agreeing standards of service.

3.2 Again most of the recommendations stand the test of time. One, the development of a common logo for all advice agencies, proved to be a non-starter, and SCC has changed its policy on law centres, which in 1977 were wholeheartedly embraced. But apart from these and other minor matters it remains an up-to-date statement of SCC policy. Thus, in responding to the Hughes Report on legal services in Scotland in 1981 SCC welcomed the report's stress on information and advice for the public, and endorsed the proposed Legal Services Commission as a suitable vehicle to carry out the planning, the funding and the setting of standards for the proposed advice network which "Let the People Know" originally envisaged.

3.3 Having identified the problems of delivery advice services in sparsely populated areas and having recommended that the problems be studied, the SCC then proceeded to set up and monitor two rural advice experiments itself: Information Link in Grampian and Adviceline in Highland Region. A final report on these is in preparation. However, Adviceline has been continued for the past 10 months by the local authorities, and it is about to be extended to Orkney, which is some measure of its success.
Administration of Justice

3.4 Small Claims

Alongside the need for proper advice services and better conditions for council tenants, the SCC early on gave priority to improving consumers' access to the courts. A working party was set up chaired by Matthew Clarke, which made proposals for a mandatory small claims scheme to be introduced in Scotland, and a seminar was held in April 1978. This led to the establishment of the Dundee small claims experiment which was to run for three years from January 1979. The SCC, while sceptical about some of the details of the scheme, appointed an Information Officer to publicise the scheme to consumers in the Dundee area, and set up a local Committee to advise on its workings. Some modest changes in the working of the scheme were accepted by the Scottish Courts Administration, notably on the returning of fees. The SCC working party has now been re-established to prepare detailed proposals, pending the publication of the monitoring reports from the CRU.

Work on small claims has therefore been continuous for five years, and will doubtless be so until a mandatory scheme has been introduced.

3.5 Sheriff Courts Report

In October 1981 SCC published "Waiting for Justice" which, on the basis of a survey of facilities in Scotland's Sheriff Courts, made eighteen recommendations for improvements. No formal response has yet been received from the Government on these recommendations, and no decision has been made by SCC on the most appropriate way to follow up the report. It should be noted that considerable interest was aroused amongst the various groups which are professionally involved, notably the police, solicitors, and sheriff clerks. The first two groups seemed generally to welcome the SCC's views: the third in some cases were, understandably, defensive and brought to our attention minor discrepancies in the report or defects which had been or were just about to be remedied.

3.6 WRVS in Strathclyde Region have just written to SCC about their willingness to provide refreshment facilities. It may be appropriate for SCC to continue discussions with various other user groups, including social work departments, as well as reminding government about our looking forward to their formal response.

3.7 The LAG had expressed a wish for a survey of district courts to be carried out. It is very improbable that another large-scale survey, using the time and energy of volunteers and SCC staff, would be as worthwhile as continuing to pursue "Waiting for Justice".

3.8 An appendix to the report looks at the implications of court facilities on do-it-yourself small estates procedures, small claims, and divorce, and the findings are therefore of wide relevance to our work on the administration of justice.
3.9 Royal Commission on Legal Services in Scotland

SCC published its response to Hughes in the summer of 1981. The SCC's response identified in Part I contain issues which should be given priority by government, which were information and advice, the proposed Legal Services Commission, the need for simplified legal procedures, and legal aid. The detailed Part II of the response also looked at methods of paying for legal services, conveyancing, divorce, small claims, debt, and administration of estates.

3.10 Government has not yet given a general policy statement on legal services in Scotland, and indeed will probably announce its policy piecemeal. However, it should be noted that some outside bodies have not yet responded to Hughes, which was published nearly two years ago.

3.11 One particular issue on which SCC published a follow-up paper was on building societies' valuations and surveys. This showed that many building societies have already implemented one Hughes proposal, on making available copies of surveyors' reports to purchasers, and that there was general recognition of the cost to house purchasers involved in multiple surveys. The report recorded the RICS's Scottish branch as being willing to serve on an expert committee on house purchase established by the Secretary of State. Since publication the other interested parties have also declared their willingness to participate in such a committee. Again, a response from the Scottish Office is awaited.

3.12 On another issue covered by Hughes, namely debt enforcement, SCC submitted a separate response in the summer of 1981 to the Scottish Law Commissions memorandum on diligence.

3.13 Class Actions

SCC is shortly to publish the Group Actions Working Party's paper on "class actions," and Council has agreed that a seminar should be held to discuss the proposals.

3.14 Enforcement of Trade Descriptions Act in Scotland.

In July 1980 SCC published a report on the enforcement in Scotland of the Trade Descriptions Act. The report stated that in some parts of Scotland there is a problem with the attitudes of Procurator Fiscals, and a problem of limited resources but that in general there were few problems with the Scottish system of prosecution, corroboration was a necessary safeguard, and that effectiveness of legislation could not be measured only by the number of prosecutions. SCC concluded also that, since the Consumer Protection Departments generally gave priority to complaints from ordinary consumers, the introduction of Duncans's recommendations on civil compensation for victims of crime might slightly increase the numbers of prosecutions. (With the passing of the Criminal Justice Act, this can now be tested.)
3.15 SCC made several firm recommendations: first that OFF should publish a leaflet on the role of consumers in enforcing legislation for their own protection. This was repeated at the OFF-SCC seminar in Edinburgh in October 1980, and again recently at a meeting with John Warne. SCC may wish to continue to press this.

3.16 Secondly, consumer protection departments were urged to "spell out their policy on the enforcement of legislation." This is hard to monitor, but the level of enforcement can be watched, since SCC continues to get the Crown Office returns. SCC also called for more resources to be given to C.P. Departments.

3.17 On the role of the fiscals, SCC urged that where a fiscal marks a case "no proceedings", that the Consumer Protection Departments should be entitled to an explanation and should be able to get a second opinion from the Crown Office where there is a disagreement. SCC also called for one or more fiscal to specialise on Trade Descriptions Act cases in the larger Sheriff Courts. The implementation of these recommendations has not been followed up by SCC. Clearly, the Consumer Protection Departments would assist on this, if necessary.

3.18 As a direct result of this paper and the discussion at the OFF/SCC seminar, Gordon Borrie did address the annual conference of procurators fiscal in the autumn on the need for criminal consumer law to be rigorously enforced. Details of the dialogue are not available, but one extremely encouraging consequence is that there will now be a bi-lateral meeting at Scottish level between the fiscals and the traditions standards enforcement officers. Any follow-up work on this whole subject would have to be undertaken with this in mind.
D GOODS AND PRIVATE SECTOR SERVICES

4.1 Consumer Law in Scotland

One of the first pieces of work to be commissioned by SCC was Consumer Law in Scotland, which was written by Matthew Clarke, and was published in 1976. This was basically descriptive, but identified some areas where change was desirable (e.g. small claims, and exclusion clauses.) This paper has inevitably been overtaken by events. The Layman's Guide to Consumer Law will provide an expanded, up-to-date version which should be made available to large numbers of Scottish Consumers.


One of the main subjects for discussion in both the 1976 and 1982 publications on consumer law in Scotland is of course the 1893 Sale of Goods Act, and subsequent revisions. In November 1980 the SCC published, after more than a year's careful deliberation, its Review of the Law of Sale of Goods in Scotland, written by Gerry Maher. This received favourable publicity, and a particularly warm response from the Scottish Law Commission, who will be undertaking their own review of of the Sale of Goods Act and will be issuing a consultative paper in 1982. SCC will obviously continue to be active in this area, and will comment on the S.L.C. paper in due course. SCC is also at the moment very active on the Supply of Goods and Services Bill which received an unopposed second reading on Friday 22nd January 1982.

4.3 Testing facilities for consumer goods.

The fitness of goods for their purpose must frequently be subjected to technical testing. In October 1979 SCC published "Put it to the Test", which was prepared by Graham Atherton. This was basically a directory of facilities for testing consumer goods in Scotland, but the report also made a number of recommendations.

These were: 1) that local authorities should review such facilities in their areas, 2) that the larger authorities should set up their own centre, where there is evidence of unmet need, 3) that the government should sponsor a scheme of national accreditation of such establishments, 4) Courts should be able to meet the consumer's costs of carrying out technical tests in the pursuit of a private claim, where this is deemed to be in the public interest, and 5) expert witnesses should no longer be required to present evidence orally, except in the most complex cases.
4.4 (1) is hard to monitor; (2) has not happened yet, since Strathclyde's plans have fallen foul of spending cut-backs; (3) is happening, and the Department of Trade did take note of SCC's recommendations; and (4) and (5) probably will need to await the introduction of a new small claims scheme in the Sheriff Courts. The Small Claims Working Party may wish to consider these points.

4.5 **Insurance**

In autumn 1979 the SCC published its response to the English Law Commission's Working Paper No. 73 on Insurance Law. This made a number of proposals for substantive changes in the law. Eighteen months later, SCC published "Forms Without Fuss" which surveyed insurance companies' proposal forms and make a number of recommendations.

4.6 The recommendations were of three kinds. Some of them dealt with the need for several changes in the layout and language in the forms, such as the removal of jargon, the elimination of very general questions, and the splitting up of "omnibus" questions. Other changes called for were substantive ones: the abolition of the "duty of disclosure" in consumer insurance contracts, the ending of the creation of "warranties" by answering ordinary questions, and the establishment of an independent body to deal with disputes between companies and consumers.

4.7 Finally, two recommendations combined substantive and presentational elements: that if a limited duty of disclosure was to be retained, plain language warnings about the duty should be given in the forms, and the meaning of the warranty and the consequences of a breach should be plainly stated on proposals.

4.8 Changes in the law clearly wait upon Parliament. However, a number of insurance companies have already established an independent body to deal with disputes between customers and companies, the Insurance Ombudsman Bureau, and a separate Insurance Arbitration Scheme has also been launched. SCC may wish to watch these developments.

4.9 SCC may also wish to keep an eye on the use of plain language, clear layout, and the bringing to consumers' attention the implications of the duty of disclosure and the meaning of the warranty. "Forms Without Fuss" was able to praise the efforts of several companies, and it is to be hoped that the hundreds of copies which were sold to insurance firms will lead to progress. The forms for our last survey were collected in 1980: thought should be given as to when this could usefully be repeated.

D **Personal Finance and Money**

5.1 **Money Management.**

In 1979/80 SCC drew up proposals for a money management experiment in Scotland. In Spring 1980 the Royal Commission endorsed specialist money management advice services, and SCC held exploratory discussions with SACAB and one bureau in the Glasgow area. The bureau's management
committee gave approval in principle to housing a specialist facility, when premises permitted. SCC decided to leave SACAB to make the running, but has maintained intermittent contact. The bureau has now secured larger premises, but little other progress appears to have been made.
HEALTH

6.1 Royal Commission on the NHS

In 1978 SCC commissioned Aberdeen University to carry out research into access to primary services in the Western Isles. The report identified the lack of psychiatric facilities in the islands, the frequent absence of choice of G.P., the distance to hospital maternity facilities and the frequent need of the elderly to hire cars to consult their doctors as presenting problems.

SCC recommended:

a) that the NHS re-examine the distribution of health facilities in the archipelago

b) that official recognition be given to the additional tasks performed by district nurses

c) that subsistence payments made to essential escorts for patients going to mainland hospitals, and to essential visitors

d) that hospital provision be made for the mentally ill in the Western Isles

e) that consideration be given to the funding of peripatetic pharmacists, a second peripatetic chiropodist, and improved peripatetic ophthalmic services away from Stornoway

f) that the salaried dentist scheme in Harris be extended.

g) that special clinics be built on all the main islands to provide a proper base for peripatetic specialist services, and for nursing services.

6.2 The Royal Commission did not in fact take up many of these issues, but SCC scored considerable success with the Home and Health Department on subsistence payments for essential escorts. There was interest in these recommendations in the other island areas in Scotland.

Further research has been conducted by Margaret Templeman into health and social services in the Western Isles, which will be published as a Cora parallel study.

6.3 Structure of the National Health Service

In April 1980 SCC responded to the Government's consultation paper on the structure of the health service in Scotland. Most of our recommendations were directed towards defending the existence of Local Health Councils and making them more effective advocates of the consumer. On the first point, SCC and the overwhelming majority of
non NHS respondents were successful. On the second the
government has not formally made any decisions, but in fact the
threat to health councils has faded, not least because CHC's
are to be retained in the South. In Scotland the so called
"review of the NHS" was cobbled together at the last moment,
because an exercise was taking place south of the border to
justify the removal of one of their tiers of administration.
The Scottish exercise was largely a non-event, with the possible
exception that some Local Health Councils may have been stung
into action by the apparent threat to their continued existence.

6.4 The SCC's views on how the working of health councils might
be improved remain sensible and relevant, and could well merit
another airing, especially since Scotland has a new Health
Minister.

6.5 The other parts of the health service - the health boards,
the districts, and the CSA - were not the subject of hard
recommendations, but the SCC did give vent to a number of heretical
views on the possible abolition of health boards instead of districts,
and increase in parliamentary accountability by health boards and
particularly their chairmen, the introduction of direct elections
or the incorporation of the health service into local government.

6.6 Patients' Rights

SCC is involved in producing a Scottish version of the NCC's main
document and the leaflet. SCC has done no independent work in this
area, but active co-operation with Scottish health councils in the
future would be entirely feasible on the areas already identified
as giving rise to problems for health service users, e.g. appointments
systems, and on which NCC intends to work in future. The health
councils have limited resources and I am sure they would welcome
practical help from SCC.

I  EDUCATION

7.1 Parents as Consumers

In 1978 SCC was drawn into the debate on the Munn and Dunning
reports, and produced a general consumer response. At the time
there was a fairly effective vehicle for parent/consumer bodies to
give their views to government because Job Creation Project funding
had been made available for the Scottish Parent Teacher Council to
draw up a register of PTA's throughout Scotland and to produce
excellent summaries of the Munn, Dunning and Pack reports for
distribution to PTA's and to school councils. It is to be regretted
that this initiative withered when the short-term funding ended,
and the SPTC had to revert to being a purely voluntary body. SCC
was therefore pushed forward into somewhat greater involvement with
parents as consumers or clients of the education service.
Our links with SPTC have however always remained good, and it should remain SCC's aim to help them to become better established and more able to do the job of representing parents' interests.

7.2 Reaching out to Parents.

In 1979 SCC published "Reaching out to Parents", which remains SCC best selling publication (with a print-run of 2,000). This report gave the results of a survey into parents' knowledge about their rights and duties concerning the education of their children, their knowledge of school councils and PTA's, and their experience, of home-school contacts. This revealed, perhaps not surprisingly considerable ignorance and uncertainty on the part of public.

7.3 SCC's recommendations concerned the need for more information for parents about their rights and duties, in particular about "exceptional transfers", more discussion about the extent to which these rights and duties were reflected in existing administrative arrangements, more publicity for school councils and stronger links between them and community councils, the active encouragement of the formation of PTA's, the improvement of home-school links, and the issuing to each parent of a written report once a term on his or her child, giving an outline of course objectives etc in addition to an assessment of the child.

7.4 This report was of course published about the same time as new parents charter proposals were emerging for England and Wales, and we intended it to stimulate debate amongst parents and professionals. Most of the copies purchased were acquired by education authorities for distribution to members of school councils. While there was good coverage in the press and an unprecedented demand from ordinary parents (perhaps because a cheap and accessible document for the first time set out clearly Scottish parents' basic rights on the education of their children) there was no great feed-back to SCC from the school councils. Perhaps SCC should have specifically asked for some reactions. SCC might consider the possibility of repeating the survey of parents: it is nearly four years since the last one.

7.5 Nevertheless ROTP set the debate going in Scotland in advance of the formal consultation documents from the government on the proposed parents charter. It also established a basic policy outline for SCC, which has subsequently been refined and extended but not fundamentally altered.

7.6 Consultation Paper

SCC had a prelimin ary meeting with the Minister for Education in autumn 1979, and early in 1980 the SED published its consultation paper. The proposals in it broadly resembled the bill for England and Wales which was at that time going through Parliament, and SCC made a number of comments. The most important objection by SCC concerned the omission of any right for parents to go to the Sheriff Court, should the new local authority appeal committee reject their placement request. In a notable concession, the government subsequently changed its proposals to permit parental appeals to the Courts.
7.7 **Education (Scotland) (No.2) Bill.**

The Bill was published in December 1980. SCC did make comments on the assisted places scheme, special educational needs, and consultation on school closures, but the main effort was directed at Clause 1 of the Bill which concerned placement requests, information on schools, and the appeals procedure. During the bill's passage through parliament SCC, in co-operation with SPUC, secured one major amendment preventing authorities from fixing their own maximum number of pupils for a school. This was a striking change, secured by lobbying government backbenchers who also wanted this possible loophole closed. Other amendments conceded in the Commons permitted the transfer of teachers between schools and made information available to parents appealing against a local authority decision, and one in the Lords confirmed the comparative independence of the appeal committee chairman.

7.8 SCC was also active in 1981 in making comments on the various draft regulations which Government will issue under the new legislation. It was partly in relation to the new legislative provisions on information for parents, and partly arising from SCC's earlier and more general desire to see improved home-school links that SCC has done work on school handbooks/prospectuses. This was based on a survey of the information needs of PTA's and school councils, and on a survey of existing material produced by schools. The publication of our document will give schools practical guidance and encouragement to provide required information in an attractive handbook format, and the competition which SCC will launch should provide a positive incentive to schools.

7.9 One matter which caused SCC disappointment, however, was the Government's announcement during the Committee stage of the Education Bill that no consultation paper would be issued on the role of school councils, one whole year after the excellent Glasgow University report had been published. As the meeting for parent representatives in Tayside in November 1981 indicated, there is much unhappiness about the role of school councils even in an education authority which is open minded about the role of parents. SCC can repeat such meetings at regional level, but it could also consider possible initiatives of national level.

7.10 **Consumer Education**

SCC has considered possible involvement in consumer education for at least four years. To cut a long story short, after an initial conference in Jordanhill in May 1980 and a meeting with Tayside education advisers later in the year, SCC decided to make a formal proposal to the CCC. This is now under way, though the process will be necessarily protracted.

J. **COMMUNICATION**

8.1 **Access to Information.**

The final report of the 1979-81 Access to Information project has just been accepted, and future work is to be confirmed. Earlier SCC work on Freedom of Information was abortive, so the value of Jim Smith's work is particularly welcome. Much of our work has an access to information dimension: even on the Civic Government
Bill we have been able to point out its failure to make registers of bye-laws readily accessible to the public.

8.2 Broadcasting and Prestel

SCC got the ball rolling by presenting a paper on consumers and broadcasting for discussion at the Sheffield Congress in 1980, which was taken up by NCC. NCC is now making the running on this and the related subject of the new technologies, and indeed is covering the IOCU Working Party on these issues. Maevé Robertson is the SCC representative on the NCC committee. Our work on Prestel is limited, but we are planning a seminar on the new information technology.

8.3 Plain Language

Plain language is another theme which runs through much of our work, but on which little specific work has been done or is planned.

K. SUPPORT FOR THE CONSUMER MOVEMENT

9.1 Consumer Champion

This scheme carries on, which is always as good as it latest nominee. Most recently this would receive an "excellent" rating.

9.2 Nationalised Industries Consumer Councils

A separate SCC working party has just been established, and so our 1976 report is already being dusted off and looked at.

L. REMOTE AREAS

10.1 Consumer in Remote Areas

This work is just reaching fruition, and a working party is being established.

10.2 Rural Scotland Price Survey

SCC is partly underwriting the new survey in 1982, but a number of founder-subscribers have already been enlisted. SCC may therefore be able to become just an ordinary subscriber, with the survey fully self-financing. This would be an excellent outcome.