



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament (Virtual)

**Thursday 14 May 2020**

**Session 5**



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# Scottish Parliament

Thursday 14 May 2020

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

## Members' Virtual Question Time

### Finance and Economy

**The Deputy Presiding Officer (Linda Fabiani):** Good afternoon, and welcome to this formal virtual meeting of the Scottish Parliament. The first item of business is members' virtual question time on finance and the economy. In order to get in as many questions as possible, I would prefer short questions and succinct answers to match. The Cabinet Secretary for Finance and the Cabinet Secretary for Economy, Fair Work and Culture are present, so it would be helpful if members could indicate to which cabinet secretary their question is directed.

#### Coronavirus Job Retention Scheme

**Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP):** I am not sure which cabinet secretary should respond to my question—they will have to choose. Although I welcome the extension of the furlough scheme, my Borders constituents who work in England might find that, under the easing of the lockdown restrictions in England, they are required by their employer to commute to work. That would breach Scots law. Can they refuse to do that? If so, will they continue to be furloughed?

**The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop):** That one is for me, Presiding Officer. Decisions about furloughing and access to the coronavirus job retention scheme are for individual employers. Someone travelling to non-essential work would not be compliant with our regulations. We have made it quite clear—indeed, the United Kingdom Government has made it clear—that the UK Government's guidance is for English companies. Although the framework that it has presented on the types of work that that applies to is helpful in principle, the guidance also sets out in its opening paragraphs that any employer who has operations in Scotland must comply with Scots law.

Christine Grahame asked about travel to work. The regulations in Scotland are quite clear on that. Kate Forbes and I wrote to the chancellor about furlough payments. We have yet to receive a response. However, the UK Government has acknowledged that access to the funding for the coronavirus job retention scheme and furlough

should be in keeping with the advice from the relevant chief medical officer in the devolved Administration or the UK. We expect that to continue as we ease out of lockdown, probably in a similar way, although perhaps to a different trajectory timewise.

### Business Support

**Donald Cameron (Highlands and Islands) (Con):** Despite the best efforts of the United Kingdom and Scottish Governments, it is still the case that certain enterprises are falling through gaps in the support for business. For example, a landlord of a city centre market or a business park is eligible for support as the named ratepayer, but many of their tenants are not, despite indirectly paying rates in their rent. Does the Cabinet Secretary for Finance accept that that loophole must be closed immediately, given the extreme hardship that it is causing to many small businesses across Scotland that are desperately concerned about their survival?

**The Cabinet Secretary for Finance (Kate Forbes):** That is a good and very fair question. We are mindful that some businesses do not fit into the neat non-domestic rates relief system and need help in different ways. We launched the creative, tourism and hospitality enterprises hardship fund and the pivotal enterprise resilience fund in order to reach those businesses that were not getting enough—or any—support through the non-domestic rates system.

Donald Cameron's point about businesses that perhaps do not operate in premises and do not pay rates directly is well made. We are actively considering how to help such businesses in a way that addresses their needs while also mitigating against potential fraud. Those plans are being actively worked on, and I hope that we will be in a position to offer more support to those businesses in the very near future, because I am mindful of the hardship that they are facing.

### Scottish Budget

**Jackie Baillie (Dumbarton) (Lab):** The Cabinet Secretary for Finance will be aware that the Scottish Fiscal Commission identified that there will be a £1 billion black hole in the Scottish budget by 2023. That, of course, was before the coronavirus crisis, so the position will probably be worse. However, there is an immediate concern for this year's budget. Land and buildings transaction tax is likely to be down, and spending on social security is likely to be up. Does she consider that there is enough money in the Scotland reserve and through remaining borrowing to cover the budget variation?

**The Cabinet Secretary for Finance (Kate Forbes):** That is another very good question. One

of the top agenda items for my next conversation with the Chief Secretary to the Treasury is on exactly that point: the fiscal flexibilities that the Scottish Government needs in order to resolve some of the uncertainties that Jackie Baillie has flagged.

The Barnett consequentials that we have received over the past few weeks have been very welcome. I have placed on record the constructive conversations that I have had and my gratitude for them. We will ensure that every penny at our disposal is spent on safeguarding Scotland's interests, but it goes without saying that the consequentials do not cover the need, so we have had to work very quickly to look at ways to meet that need across the budget. I will introduce a summer budget revision for the Parliament to scrutinise, so that it can look at how we have ensured that the budget meets that need.

Jackie Baillie mentioned the longer-term issues about flexibility in relation to reconciliations. We need more fiscal flexibility and powers in order to resolve those uncertainties, and I hope that I can count on cross-party support on that. The cross-party Finance and Constitution Committee also flagged the issue, so she will know that, given our powers on borrowing and the reserves, we will be left struggling to cover reconciliations next year if the United Kingdom Government does not provide additional flexibility. I hope that it will.

### **Business Support (Tax Havens)**

**Patrick Harvie (Glasgow) (Green):** About three weeks ago, the Cabinet Secretary for Economy, Fair Work and Culture told me that she agreed with the principle that we should restrict business support to firms that are based in tax havens but that she was not clear whether that came under devolved competence. Yesterday, Ken Skates, the Minister for Economy, Transport and North Wales, announced that the Welsh Government would, indeed, restrict business support to firms that are based in tax havens. Does the cabinet secretary agree that, if the matter is devolved in Wales, it is very clear that it is also devolved in Scotland? Will she now instruct officials to put forward a plan to ensure that we are not bailing out tax dodgers?

**The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop):** I very much appreciated the point that Patrick Harvie made three weeks ago. We are looking at what we can do in Scotland, and I was also very interested in Ken Skates's announcement.

Most of our immediate grants—particularly those to small businesses—have now been issued, but Patrick Harvie asks how we can ensure, through our capabilities, that domestic companies, in particular, which are vital to our economy, remain resilient. We must also ensure

that we do that in an ethical way. In these frustrating times, taxpayers in the United Kingdom will want to ensure that the burden is shared and that the contribution from tax is paid to those who contribute most effectively to our economy through employment as well as taxation.

I will certainly take up the matter with our enterprise companies. I will also take legal advice about the devolved settlement, so that we can carry out those steps if they are within our capabilities.

**Patrick Harvie:** [*Temporary loss of sound.*] To be clear, if that is devolved and can be done, will it be done?

**Fiona Hyslop:** I am awaiting the advice to tell me whether it is possible within our devolved responsibilities.

### **Business Support**

**Beatrice Wishart (Shetland Islands) (LD):** The local authority team in Shetland is doing a great job in processing applications for the coronavirus business support fund. I am grateful for the support that the Scottish Government has put in place for businesses. However, some businesses that could be supported, if local authorities had more flexibility on eligibility criteria, are falling through the cracks. I am told that there is no local discretion for the rates test, which is a real problem where there are, for example, historical rates anomalies. Will the Cabinet Secretary for Finance consider giving local authorities greater flexibility in that respect in order to help legitimate businesses that are missing out?

**The Cabinet Secretary for Finance (Kate Forbes):** From the beginning, I have built in to the guidance as much discretion as possible to allow local intelligence to be used when providing grants. We have already made some tweaks in response to points that have been raised by local authorities.

I did not follow precisely what further discretion Beatrice Wishart is looking for. If she wishes to raise the matter with me offline, I will be keen to explore it, because my priority is, ultimately, to get money out to support businesses, wherever they are in Scotland, in order to ensure that they get through this incredibly difficult time. If she feels that there is an area in which further flexibility is required—within reason, of course, because we must ensure that genuine businesses get the support—I will be happy to explore the issues.

### **Coronavirus Job Retention Scheme (Extension)**

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** What discussions has the Cabinet Secretary for Economy, Fair Work and Culture had

with the United Kingdom Government on extension of the furlough scheme, and the impact on businesses if the scheme's rate is reduced to 60 per cent?

**The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop):** I called on the Chancellor of the Exchequer to extend the job retention scheme. He has done so and that is welcome. The concern now is about the scheme's details and its flexibility. Some sectors—specifically, hospitality and tourism—will need support for longer than will sectors that will be able to come back to productive work quickly. Oil and gas and other sectors that are in transition will also need on-going support for different reasons, which I discussed with Aberdeen and Grampian Chamber of Commerce just before joining question time.

On the reduction of the rate, I understand the scheme's cost to and burden on the UK Government.

Some companies are actively looking for flexibility so that they can bring back some workers. The part-time working flexibility aspect is particularly important, which I will impress on the UK Government in a weekly meeting that I have with it. The subject is on the agenda for my meeting with the chancellor this afternoon.

The reduction of the rate to 60 per cent will make sense only if a company can come back to active trading to create enough profit to make up the difference to 80 per cent. We do not want companies to close because they cannot meet the extra burden of payment if there is only 60 per cent support from the UK Government.

We will continue the discussions; we have to find a way that helps companies to restart and which keeps productive capacity where we need it.

**Gordon MacDonald:** Another sector that needs continued support is the self-employed. Has the cabinet secretary had any indication from the UK Government that it will extend the existing support for self-employed people beyond the initial three months that was announced?

**Fiona Hyslop:** The UK Government self-employment income support scheme was launched yesterday. It should be extended to all individuals who need it. We still have concerns that it does not support newly self-employed people, which is why the Scottish Government moved swiftly to establish the newly self-employed hardship fund, as part of our £145 million support for individuals and businesses that are not captured by existing grant support from UK or Scottish Government schemes. I will impress on the UK Government the need to extend the self-employment income support scheme, as it is doing

with its job retention scheme for people who are in employment.

### Business Support

**Maurice Golden (West Scotland) (Con):** In a written response to me, the Cabinet Secretary for Finance confirmed that the Scottish National Party's business support package means £10 million less for multisite businesses, compared with the situation in England. Does the finance secretary accept that that will put added pressure on Scottish businesses that are already at risk of going bust?

**The Cabinet Secretary for Finance (Kate Forbes):** I hope that that written answer also confirmed that Scottish businesses generally and, in particular, small businesses, are benefiting more from our schemes than businesses south of the border are benefiting from the schemes there. About 5,000 businesses in Scotland with multiple properties are getting support here that they would not get elsewhere.

That does not mean that one scheme is, by its nature, better than the other. It is simply that we need to ensure that the limited funding that we have goes as far as possible to help as many businesses as possible at a time when nobody is immune from the impact of coronavirus.

I hope that Maurice Golden and the Tories more generally welcome the extent of support for business. To return to a question that Mr Golden's colleague asked earlier, I recognise that some businesses are still falling through the cracks, but we are actively working to ensure that they get support through the pivotal enterprise resilience fund and the newly self-employed hardship fund, neither of which is replicated south of the border.

**Maurice Golden:** Many businesses that have applied for grants are still waiting for their applications to be processed. Does the cabinet secretary agree with the Federation of Small Businesses that it is now time to set a target for clearing the backlog?

**Kate Forbes:** My target is to get the money out to businesses as quickly as possible. Local authorities have been working extremely hard to get the grants out. Of the applications that have been made, 59,000 have been awarded grants and £679 million has been awarded. Our commitment is to ensuring that every penny of consequential that were given for that purpose is passed on to business. We are keeping that promise: we will ensure that every penny goes towards supporting Scottish businesses—especially small businesses, which are the backbone of the Scottish economy.

### United Kingdom Government (Taxation and Expenditure Plans)

#### John Mason (Glasgow Shettleston) (SNP):

Given that United Kingdom borrowing is going up by about £300 billion and that even just to service that will probably cost the UK £25 billion to £30 billion, it looks as though the UK will either raise taxes or cut expenditure, including the block grant, which would have an impact on Scotland. Has there been any discussion of that with the UK Government? Does the Cabinet Secretary for Finance have an idea whether the UK Government plans to raise taxes or cut expenditure?

#### The Cabinet Secretary for Finance (Kate Forbes):

I have a close and constructive relationship with the Treasury, but I have not been made aware of any particular plans to raise taxes or cut expenditure. I assume that the Treasury is actively considering its pre-existing expenditure plans in light of the coronavirus pandemic. I will stay in close dialogue with it on that, because there will be implications for the Scottish budget.

Three issues are worth bearing in mind in that regard. First, the Treasury has stressed to me that the total Covid-19 response Barnett consequentials are estimates and might be subject to later confirmation, which means that they could go up or down.

Secondly, the Treasury has confirmed that some of the funding announcements are funded from its underspends, so those will not generate consequentials for us.

Thirdly, I am mindful of the late reductions that the Treasury applied to the 2019-20 Scottish budget last year, because of reduced Whitehall expenditure. We face the risk of the consequentials going up or down, which is why I need to be very close to the detail of what the Treasury is anticipating.

### Key Workers (Pay Rise)

Neil Bibby (West Scotland) (Lab): I declare that I am a member of the GMB trade union. This evening, I will join my neighbours in clapping for our key workers, and I am sure that the finance secretary will do likewise. This week, it has been reported that the Treasury is considering a public sector pay freeze to help to pay for the cost of the coronavirus crisis. Does the Cabinet Secretary for Finance agree with GMB Scotland and other leaders of the campaign for a £2 increase to key workers' hourly rate that clapping is easy but, after the applause, our key workers should have a pay rise that recognises their true contribution?

The Cabinet Secretary for Finance (Kate Forbes): I agree with the sentiment of Neil Bibby's question, which is that our public sector workers

who have been on the front line in tackling the virus deserve our recognition and deserve more than that as well. I recognise the contribution that they have made—I have said it before and will say it again. Ministers have had twice-weekly discussions with the Scottish Trades Union Congress and general council members during the current crisis, and we will actively engage with the STUC and GMB campaigns as part of our ongoing dialogue. We have supported the payment of the real living wage in our public sector pay policy since 2011. That is a decisive long-term commitment to those on the lowest incomes. We want to ensure that, after this, we acknowledge the incredible sacrifices that our public sector workers have made.

### Crisis Support for Small Businesses

#### Fulton MacGregor (Coatbridge and Chryston) (SNP):

I thank the Cabinet Secretary for Finance for—[*Temporary loss of sound.*]—businesses across Scotland are being supported throughout this very difficult time. However, I have been contacted by a number of businesses that are crucial to the local economy here but which have not qualified for the small business grant, due to sharing accommodation or being located in a business centre. What support is in place for such businesses? Are there any plans to extend the scheme?

#### The Cabinet Secretary for Finance (Kate Forbes):

I am sorry that the only reception difficulties that we seem to have had have been when someone was thanking me. With regard to the substance of Fulton MacGregor's question, as I have said previously, a number of schemes support businesses that have been unable to access either the coronavirus business support fund or other measures. Our approach throughout has been to listen and to look where we can go further or can change guidance or tweak schemes to ensure that businesses get support. The member will know that we have doubled the value of the pivotal enterprise resilience fund, which reopened today, so there is double the support available to businesses that are vital to our national or local economies. We will look where else we can provide support, particularly when somebody has not qualified because of their property or accommodation circumstances. Where I can go further, I will go further, in looking at how we help to meet those needs.

### Scottish Newspaper Industry (Support)

#### Alexander Burnett (Aberdeenshire West) (Con):

I have received letters from local media regarding their concerns over a lack of support for the Scottish newspaper industry. They have requested a business rates holiday and compensation for lost revenue from a media



support fund and have repeated their pre-Covid requests for business rates relief for newspaper publishers in line with the support that is being given by the United Kingdom Government. At no time has any support been offered by the Scottish Government, and the companies have described the pivotal fund as inappropriate. In contrast, the UK Government is committed to spending around £3.5 million on advertising in Scotland. What will the Scottish Government do to support our Scottish newspaper industry in a tangible manner?

**The Cabinet Secretary for Finance (Kate Forbes):** I must correct Alexander Burnett on one point. He said that no support to date has been provided; that is factually incorrect, as we are currently advertising with 79 local titles across the country, to a value of £440,000. However, I recognise his point. We need to make sure that our messaging and marketing are clear in Scotland and also need to provide an economic stimulus to the wider newspaper industry. Following a series of meetings with the Scottish Newspaper Society, I have agreed to invest an additional £3 million of Scottish Government marketing in the Scottish press. That will cover national, regional local and—critically—community newspapers across the remainder of the year. It is specifically for Scottish newspapers and it will probably mean that some Scottish newspapers will be the only ones in the UK to get double the funding, because of the importance that we place on getting our message across at a time when the UK Government is diverging from the three other nations and on ensuring that there is economic support in place.

#### **Youth and Outdoor Education Organisations (Funding)**

**Daniel Johnson (Edinburgh Southern) (Lab):** Last week, YouthLink Scotland identified that youth organisations face a drop of more than £20 million in their income as a result of Covid-19. In addition, it was reported last week in *Tes Scotland* that Scouts Scotland, Girlguiding Scotland, the Boys Brigade in Scotland and the Outward Bound Trust had written to John Swinney and other ministers to highlight the decline in income that those organisations face, the fact that they had not qualified for the third sector resilience fund because they were not sufficiently close to the wire and the fact that they did not qualify for other funds because of the nature of the services that they deliver.

What work is the Scottish Government doing to support those key organisations? When will funding be available? I am sure that the Cabinet Secretary for Finance will agree that we cannot allow youth organisations and outdoor education organisations to go to the wall.

**The Cabinet Secretary for Finance (Kate Forbes):** I agree with Daniel Johnson. In many respects, charities have been as critical as the national health service in supporting our communities.

Daniel Johnson mentioned the third sector resilience fund. Obviously, I cannot comment on why the organisations that he referred to did or did not get support. He might have seen that, at the beginning of this week, we announced an extension of the small business grants to charities. That amounts to approximately £30 million of additional support for charities that had not previously qualified for the small business grants because they were charities and were not registered for the small business bonus.

I do not know whether the charities that Daniel Johnson mentioned will qualify for that funding instead, but we are committed to ensuring that financial support is available for charities. In fact, that was one of the first announcements that we made, because of the importance that we attach to their work.

#### **Digital Economy**

**Tom Arthur (Renfrewshire South) (SNP):** This virtual question time is testament to the fact that the response to Covid-19 is accelerating existing trends towards digitisation. What role does the Scottish Government believe that the digital economy will play as we enter a new normal?

**The Cabinet Secretary for Finance (Kate Forbes):** We believe that the digital economy is absolutely critical. In the past few weeks, there has been a rapid acceleration, with small businesses and elements of the public sector adopting technology much more quickly than they were previously. The sheer speed at which digital technologies have been implemented is quite incredible.

I am clear that I do not want us to lose the progress that has been made but to build on it. That is why we announced just a few weeks ago that Mark Logan, formerly of Skyscanner, who is a well-known name in the technology sector, would lead a piece of work to look at the role that technology will play in our recovery. We know that the tech sector is forecast to be the fastest growing sector in Scotland by 2024.

I believe that technology has a key role to play, not just in our economic recovery, but in ensuring that our recovery leads to a far less carbon-intensive society and a far more productive economy in the long run.

**The Deputy Presiding Officer:** The last question in this session will come from Michelle Ballantyne.

### Lifting Lockdown (Under-50s)

#### Michelle Ballantyne (South Scotland) (Con):

This question might be for both the Cabinet Secretary for Economy, Fair Work and Culture and the Cabinet Secretary for Finance.

For the under-50s in the general population, the risk from coronavirus is lower than the 0.02 per cent avoidable mortality rate that that group normally faces. Meanwhile, the lockdown means that the Scottish economy is set to see the biggest fall in 100 years, which will have a massive impact—[*Temporary loss of sound.*]—Given that evidence, what assessment has the Scottish Government made of the risks to the economy and Scotland's finances of not lifting the lockdown in lockstep with the rest of the UK and allowing Scots to return to work, where appropriate safeguards can be put in place, particularly for the under-50 group?

**The Deputy Presiding Officer:** We had a little problem with the sound there, but I think that the gist of the question was okay.

**The Cabinet Secretary for Economy, Fair Work and Culture (Fiona Hyslop):** I thank Michelle Ballantyne for her question. If she has not already done so, it is important that she looks at the document that was produced last week that sets out the parameters for decision making. It sets out some of the evidence that we have identified in looking at issues around social harm, economic harm and health harm due to Covid, but also the implications for moving forward.

The member talked about the mortality rate for the under-50s, but she did not reference the infection capability of the under-50s. In balancing our decisions about moving forward, we are taking a precautionary way forward. I spend most of my time speaking to businesses and business organisations and they tell me that one of the biggest risks that they face would be a second dip in the economy caused by a second wave of the virus.

A planned and orderly return to business is therefore better than speed and disorder, and that is why we are setting out our phased planning. We have sector-by-sector guidance for 14 different areas being prepared collectively by business and the trade unions, and we have to underpin that with transport plans and understanding of individuals' caring responsibilities.

The member is right to look at the experience with mortality of the under-50s, but as a Government our job is to look at everything in the round. I am keen that we emerge from the pandemic with as much of the productive capacity of our economy as possible, but I am reassured that, as long as we give our businesses direction and a phase-by-phase direction of travel, they will

want to open and will do so with confidence, which is key for both consumers and workers.

I assure Michelle Ballantyne that I am taking the economy very seriously indeed, as are my colleagues, and that will be part of our decision-making process. That is exactly the type of debate that we can have. Is the mortality of the under-50s traded off against the infection rate, potentially, of the under-50s? If they are active and are travelling and working, could that jeopardise the R number and take it over 1?

**The Deputy Presiding Officer:** Michelle Ballantyne would like to come back in. I will call her first and will then allow a short supplementary question from Patrick Harvie.

**Michelle Ballantyne:** Is it not the case that the R numbers for the under-50s and particularly for younger ages, such as the under-30s, are also very low?

**Fiona Hyslop:** The same argument applies for the under-30s as applies for the under-50s. It is proportionate. Even if the mortality rate in the under-30s is low, it does not necessarily mean that the infection rate is low. We have to consider the infection rate when we are talking about people moving about more in our economy and our society.

However, I take the member's point. There is a debate, and that is why we want to encourage people to engage with the First Minister's framework document. In what was one of the best debates that we have had in Parliament for some time—the debate on the future and what living through Covid means—we heard about age disparity and the real concerns for those who are over 70, for example.

Having an age split in society is a serious issue and it would have many connotations. I am not saying that the case that the member makes does not have value, but we need to have that discussion and debate more widely. Discriminating on the ground of age would bring problems in and of itself. A number of members across the parties discussed that difficulty eloquently in the debate that we had in Parliament just the other day.

**Patrick Harvie (Glasgow) (Green):** Given that, within days of the United Kingdom Government's decision to actively encourage people to go back to work, we have all seen images of people squeezing on to tube trains and buses, it is surely clear that the most profound threat not just to people's lives but also to the economy is a premature return to business as usual before it is safe. Surely we absolutely have to resist that kind of "economy first" mentality.

**Fiona Hyslop:** [*Temporary loss of sound*]—economy and society and how we look at things in

a more holistic way. However, it is absolutely right to question the images of packed transport that we have seen in the rest of the United Kingdom.

I talked about the underpinning of the transport plan. Most companies have transport plans, and they need to revisit them and think about what they will look like.

Members should remember that, because of the transport constraints, for a long time to come, people will be encouraged to work from home if they can. For those who are restarting, a number of conditions have to be in place to support a planned and orderly return, which includes three supporting pillars.

The first pillar is the suppression of the virus through health measures and the test, trace, isolate and support approach—support is important. People will have to self-isolate because they have had contact with somebody who has Covid, and they might have to do that not just once but twice. We have to ensure that they are supported and that companies support them to do that.

The second pillar is sector-by-sector guidance, along with the workplace guidance framework that the UK Government produced recently.

The third pillar is the compliance advice that will allow people to have confidence in returning. That is why my officials, working with local authority environmental health officers and police, are helping to establish, with the health and safety authorities, that compliance advice.

This is not a flick of the switch or a one-day announcement. It has to be planned, because we are going to be living with Covid for some time to come.

**The Deputy Presiding Officer:** That concludes members' virtual question time on finance and economy. I thank everyone who took part. The meeting is suspended until 3 o'clock, when we will return with a members' virtual question time on health and sport.

14:36

*Meeting suspended.*

15:00

*On resuming—*

## Health and Sport

**The Deputy Presiding Officer (Christine Grahame):** Good afternoon. The next item of business is a members' virtual question time on health and sport. I welcome the Cabinet Secretary for Health and Sport, Jeane Freeman; the Minister for Mental Health, Clare Haughey; and the Minister for Public Health, Sport and Wellbeing, Joe Fitzpatrick.

### Cervical Cancer Screening (Self-test Kits)

**Emma Harper (South Scotland) (SNP):** My question is for the Cabinet Secretary for Health and Sport. The Government has been working with national health service boards, including NHS Dumfries and Galloway, to resume services that have been postponed due to Covid-19. I have previously asked about self-test kits for cervical cancer screening, which would allow women who have defaulted on their smear test to be screened. Can the cabinet secretary confirm whether self-testing for cervical cancer is being expedited in order to allow the screening service to resume?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** My apologies, Presiding Officer. That question is really for Mr Fitzpatrick.

**The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick):** That is a really good point. We are looking at how all the screening programmes can be resumed, but I have specifically asked whether we can expedite the work around home screening for cervical cancer. Whatever we do, we have to make sure that patient safety around any testing or screening that happens—particularly at home—is robust, and that we have all the assurances that we need. However, we are looking to see whether that work could be expedited.

### Independent Medical Sector (Treatment Provision)

**Miles Briggs (Lothian) (Con):** We know the impact that pausing cancer services has had. Can the cabinet secretary outline what use has been made of the independent medical sector in Scotland to provide treatment during this period?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** There are two things that I want to say. Mr Briggs is obviously correct that we had some concern, which is why we launched the NHS is open campaign. When we launched that campaign, urgent cancer referrals were down around 72 per cent, but I am pleased to report that the figure has improved and we are now 50 per

cent down. There is still a lot more to do, but there has been improvement.

We have reached agreement with private sector hospitals whereby they will be staffed by national health service staff and clinicians who will primarily be undertaking primarily urgent cancer operations.

**The Deputy Presiding Officer:** Miles Briggs has a brief supplementary question.

**Miles Briggs:** I am interested in the number of patients who have been seen during the lockdown and when that work commenced.

**Jeane Freeman:** My apologies. Because we do not know these questions in advance, I do not have those exact numbers. However, we will get them to Mr Briggs as soon as we can, either later today or at the start of next week.

### Care Homes (Reproduction Number)

**David Stewart (Highlands and Islands) (Lab):** When he gave evidence to Health and Sport Committee recently, Professor Pennington argued that the R number might be as high as 10 in some care homes. What assessment has the cabinet secretary made of Professor Pennington's analysis, and what specific actions can be targeted at care homes such as Home Farm care home on Skye to better protect staff and residents?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** The first thing that I have to say about the assessment that Professor Pennington offered is that I have seen no evidence on which it was based, so I cannot comment on it.

However, the R number is certainly higher. Let us remember that the R number is a range, for all the important reasons that colleagues understand. Our colleague Stewart Stevenson was definitely clear about those reasons in a recent debate. I have not seen the evidence that would support the assertion of an R number of 10. That is higher than we believe the R number in Scotland to have been at the very start of the pandemic and definitely higher than it was at the start of our lockdown measures.

The care homes question is difficult, although, like Mr Stewart, I am keen for us to work with our statisticians and clinicians to do our best to identify what the R number might be. The problem is that the sector is, as the member knows, made up of more than 1,000 care homes, not all of which have had an active case of the virus, so it is difficult to reach a projection of the R number. I am sure that colleagues are aware that it depends on a number of factors as well as the incidence of new cases. The interrelationship between those things is important.

In that circumstance, it is difficult for our statisticians and modellers to be confident about the range of the R number in the care home sector. We have asked them to continue to see whether they can do more in the area, but they are not confident about the data that they are working with and, therefore, about the conclusions that they might reach.

I am sure that Mr Stewart is aware of this morning's media reports on the Home Farm care home in Skye. Following an unannounced inspection by the Care Inspectorate on Tuesday, NHS Highland has reached an agreement with HC-One—the owners of the care home—to step in and provide direct staffing, clinical leadership and nursing support. That will mean that the staff who continue to work in the care home will have the support and clinical input that they need to ensure proper infection prevention and control in the care home and quality of care to the residents.

**Neil Findlay (Lothian) (Lab):** What plans do we have to regularly test care home staff, whether they are symptomatic or not? I have heard ministers repeatedly say that testing those who are asymptomatic is unreliable, but what is more unreliable is not testing them at all. Many believe that asymptomatic people passing on the virus is what is causing many of our care home deaths.

**Jeane Freeman:** As Mr Findlay knows, our current position on testing in care homes is that, for those that have an active case, all staff and residents should be tested, whether symptomatic or not. In care homes that do not have an active case, surveillance testing is taking place in order to provide the kind of information that we need about what is happening elsewhere.

We are at day 150 of this crisis, or thereabouts. We have clearly said, and I am sure that Mr Findlay knows, that we will continue to review our testing policy as our understanding of virus transmission, behaviour in different conditions and so on grows. The testing of asymptomatic staff and residents in care homes with no active cases continues to be under review, as is asymptomatic testing elsewhere.

It is not ministers who assert that such testing is of less value; that is based on the evidence that comes to us, primarily from clinicians who are informed by the scientific evidence that is available, which is constantly changing and being updated. Our policy on testing has to be continuously reviewed, and that aspect of testing, as well as others, is under review right now.

### Covid-19 Testing (Care Homes)

**Alison Johnstone (Lothian) (Green):** The director of a Scottish care home company has written to me and said:

"We've been allowed testing for only those with symptoms, which is clearly too late. We've specifically asked for testing for all staff and all residents and been denied that."

The Government's current position is causing great concern to many, and I know many academics who also contest it. Last week, the Scottish Government's Covid-19 advisory group met to discuss the risk that is posed by asymptomatic healthcare workers. Will the cabinet secretary tell us what the group advised, and whether the advice will be published?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** The advice that I am working on and have just outlined for Mr Findlay is based on the current evidence and advice that we have from our clinical and scientific advisors, and, as I said, they are constantly reviewing that. When they reach a conclusion and provide me and the First Minister with different advice, we will of course make that clear and public. We will also alter our testing approach in order to meet whatever new advice may come to us.

With regard to the care home that Ms Johnstone referred to, if she wants to give me the information that she has, I am very happy to look at that particular instance and ensure that, if the care home has an active case, the policy—which has been clear for at least two weeks now—is being followed in the local health board area, and otherwise engage with the care home provider to see how else we might be able to assist them.

**Alison Johnstone:** The care home owner whom I referred to has written to the Government, but I will do as the cabinet secretary requests.

Last night, on BBC Scotland's "The Nine", we learned that some care home staff with symptoms have been told that they will not be tested. Will the cabinet secretary intervene in those cases, and does she agree that it is beyond time that we tested all health and care workers? We are not using the capacity that we have.

**Jeane Freeman:** Today's figures show that we are increasing the use of the capacity that we have, although I accept Ms Johnstone's point that we need to do more to ensure that we maximise use of our capacity.

I did not see the programme that Alison Johnstone referred to, but I have been updated on it. The advice that was given to the care home worker by her employer was of course entirely wrong. We will make sure that care home providers are clear that there is no reason at all not to provide testing. Testing should come through the national health service, which provides testing to care home residents and staff when there is a symptomatic case. If staff test positive—whether they are symptomatic or asymptomatic—

they should be at home and following the guidance on isolating, either themselves or with their household. If the care home provider is concerned about the effect on the level of staffing that they can safely provide for their residents, as I have said many times before, the NHS is there to provide the additional staffing, as is evidenced today by what we have done at the Home Farm care home in Skye.

### Cervical Cancer Screening

**Beatrice Wishart (Shetland Islands) (LD):** My question follows on from Emma Harper's question. I have been contacted by a constituent who is worried that their regular smear test has been cancelled. They make the very real point that a smear test can pick up on problems that a person does not even know are there, and it is obviously an anxious time for many who have needed treatment or extra monitoring in the past. Can an indication be given about when cervical screening will be restarted and when the women who are waiting, including my constituent, can expect to be invited for their test?

**The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick):** That is an important programme. All five of the screening programmes are important—that is why we have them. It was not an easy decision to pause those programmes but it was based on clinical evidence and advice.

We are working on how we can bring the screening for all five programmes back online as soon as possible. When we paused screening, we said that it would be paused for 12 weeks, which would be sometime in June. However, we are working actively to see whether some or all screening can be restarted. Beatrice Wishart is absolutely right that cervical screening—particularly the new screening that we have introduced—is helpful at identifying problems.

I am also keen to make sure that we restart breast screening as soon as possible. The benefit of breast screening is that it does not require some of the clinical laboratory work that might be challenging just now; it requires a different set of people and is non-aerosol generating.

I am looking at all five programmes to see how we can bring them all back as soon as possible.

### Guidance for Hospices

**George Adam (Paisley) (SNP):** How has the Scottish Government continued to monitor the guidance for hospices on palliative care and end-of-life visiting during this outbreak?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** We have been in active contact with the hospice network across Scotland to ensure that, when hospices need any additional

clarification on the existing guidance about the exemption to the ban on visiting for end-of-life care and palliative care, they can apply that exemption and do so safely. If they need additional support, we can offer it and are happy to do so.

We have strong clinical support around palliative care in other settings. We are looking actively at the issue with the care home sector and have been for some time to ensure that when support needs to be provided to a greater degree than has been the case normally, they have access to the support that they need from the national health service.

### Support for Sport

**Brian Whittle (South Scotland) (Con):** I have discussed previously with the Minister for Public Health, Sport and Wellbeing how important sport is to the social fabric of our nation and how important sport will be to the physical, mental and emotional health of our people as we come out at the end of the Covid emergency. Does the minister know about the financial state of arm's-length external organisations, national governing bodies and sports clubs and their ability to survive through this crisis?

**The Minister for Public Health, Sport and Wellbeing (Joe FitzPatrick):** We have been working with sportscotland and engaging with all the sports governing bodies. I have a meeting scheduled soon, I am not sure exactly when, with the ALEOs—and by ALEOs, I mean the leisure trusts—to discuss some of the issues.

A lot of the financial issues should be addressed as part of the business support that is available from the United Kingdom Government and the Scottish Government. We continue to look at where additional support is needed.

Mr Whittle is absolutely right that, as we come through this pandemic, sport and physical activity will be important to the health of the nation, so I am keen that we start encouraging people to do more sport, as soon as it is safe to do so. We are already encouraging people to exercise more by saying that, rather than just being able to go out and exercise once a day, they can go out more, particularly for cycling, running, jogging and walking. It is important to ensure that the health of the nation is protected as we go forward.

**The Deputy Presiding Officer:** Mr Whittle has requested a supplementary. Make it brief, please, Mr Whittle.

**Brian Whittle:** Some of the national governing bodies report that their membership is rapidly decreasing, and that there is a big risk that they will miss out on a whole round of recruitment during the summer. What will the Government do to ensure that there is some kind of promotion to

make sure that they can re-engage with potential participants?

**Joe FitzPatrick:** We are in active discussions with sports governing bodies. In general, they have done some amazing work, particularly during the lockdown, to continue to engage with their membership.

There has been good work online. A number of clubs have used the time to encourage virtual training sessions, and to make sure that they are engaging with their membership, so that they can hear its requirements and about how sports might be reshaped.

We need to continue to encourage that good work. Sportscotland has supported that by releasing early some of the cash that it would normally have spread over a longer period, and by relaxing some of its normal requirements, to allow sports governing bodies to engage more with their membership.

Mr Whittle has made an important point. I agree with him that physical exercise is important, and that organised sport is one of the best ways of encouraging people to be more physically active.

**The Deputy Presiding Officer:** I do not want to be hard on later questioners, but we need to move things along more, as we are running a bit slow.

### Mental Health Support (Health and Care Staff)

**David Torrance (Kirkcaldy) (SNP):** Is the Scottish Government providing any additional mental health support for front-line national health service staff and care workers during the Covid-19 crisis?

**The Minister for Mental Health (Clare Haughey):** I thank David Torrance for raising an important issue on which I have been leading. We have written to NHS boards, local authorities and chief officers of integration joint boards about the importance of the issue, and we have highlighted key messages and approaches. We have established a national workforce wellbeing champion network across health and social care organisations and are ensuring that learning can be shared across sectors. In conjunction with NHS Education for Scotland, through a bespoke digital platform, we are providing up to 1,000 hours of coaching to staff across health and social care. We have also developed a national wellbeing hub, which we launched on Monday.

We recognise the importance of building on that work to ensure that appropriate practical and emotional support is available to everyone in Scotland who is providing care. That includes unpaid carers, the families of those who care for us and volunteers, to whom we are so grateful for coming back to help us in health and social care.

### Covid-19 Antibody Testing

**Jamie Greene (West Scotland) (Con):** The Cabinet Secretary for Health and Sport will be aware that a reliable antibody test, which tells people whether they have had the coronavirus, has finally been approved by European Union regulators and Public Health England. Will widespread antibody testing become an integral part of the Scottish Government's plans to ease us out of lockdown, and will the cabinet secretary update us on the Government's plans to procure, distribute and conduct wide-scale antibody testing across Scotland?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** We have seen that very good news today. Our officials are actively engaged with colleagues south of the border, through Public Health Scotland and our clinical advisers.

We intend to be part of that testing. Our initial planning is under way, to ensure that we can access the test as it becomes available and that it is used to best effect across the Scottish population. Details have not yet been finalised but, when they are, I will ensure that Mr Greene and all members are aware of our intentions and our delivery plan.

### Personal Protective Equipment (Face Masks)

**Claire Baker (Mid Scotland and Fife) (Lab):** This week's statistics from the Information Services Division reveal that 61 per cent of people who have tested positive for coronavirus in Scotland are women. National Records of Scotland has today shown that those from the most deprived backgrounds are the most likely to die from the virus. Part of the explanation is that these are people who have to go into the workplace. Concerns have been raised over the design and availability of personal protective equipment—for example, it is designed for the male form. What can the Government do to ensure that workers have correctly fitting PPE and that there is sufficient PPE in vulnerable workplaces?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** The main design problem that I have been made aware of relates to face-fit masks, which is the mask that needs to be used when the clinical setting involves aerosol-generated procedures. A seal should form between the mask and the face, and one of the issues that has been raised is that the mask has been designed to fit the male face but not the female face. That issue is being taken up by NHS National Services Scotland, which is our national procurement service, with the designers and manufacturers to see whether improvements can be made in the mask's design for future supplies.

Orders are already in train for delivery some distance ahead. Those orders are for masks that are of the existing design. We are working with health boards, and in other settings where the mask is used, to identify appropriate mitigation measures. We also have a machine that tests whether the mask actually fits someone's face. If it produces a result that says the mask does not fit as it should do, that member of staff should not then be exposed to procedures that require them to wear it.

Therefore, the problem with that particular mask is being picked up by NSS to see whether there is anything that can be done. I am not confident that there is much that can be done with orders that are in train, but there may be work that can be done for orders for the near future. I am not aware of other problems in relation to particular items of PPE, but if there were any, we would pick them up and try to address them.

### Covid-19 Test Kits (Care Homes)

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** How best can care homes, especially those in rural areas, access test kits for their residents and staff, even if no one is displaying obvious symptoms of the virus, so that they have them available if someone starts displaying symptoms? We know that time is of the essence.

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** At the moment, the testing that is undertaken in care homes, whether in a rural or an urban setting, is delivered by the national health service and triggered by the work of directors of public health in their liaison with individual care homes. NHS staff then ensure that residents and staff are tested. It is quite an intrusive test and it needs to be done properly, otherwise the sample is not good enough and will give an inconclusive result; there is also the risk of a false negative result or a false positive result.

We would need to look at the prospect of supplying test kits to care homes in circumstances where we do not have an assurance that staff in the homes are trained and have the confidence to use the kits and take samples from elderly or frail residents or those who have dementia, for whom it can be a distressing experience. At the moment, health boards should ensure that, as soon as they are advised that testing is required, the testing is done in situ in the care home.

### Covid-19 Testing (NHS Grampian)

**Tom Mason (North East Scotland) (Con):** It is clear that the best way to inform action in relation to the pandemic is to have a strong evidence base, and testing is the most important element of that. It is also clear that a significant amount of

testing capacity goes unused every day. I am particularly concerned that that might be the case in the north-east. What is the daily testing capacity in the NHS Grampian area? What is the daily uptake? What are the Scottish Government's plans to make sure that as much as possible of NHS Grampian's testing capacity is used?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** As I am sure that Tom Mason knows, testing is delivered through two routes. The first is through our national health service testing capacity. The capacity, as notified yesterday, was 5,998 tests and the number of tests carried out was 4,009.

As I said earlier, how we make use of our capacity is improving. A lot of that improvement comes from the testing in care homes. There is still more to do and, of course, the capacity needs to increase significantly by the end of this month, to be ready to undertake the test, trace and isolate strategy in as full a scale as we need in order to do that.

The other route is our participation in the United Kingdom-wide testing programme, which is primarily delivered through the drive-through centres—there is one at Aberdeen airport—and through the mobile testing centres. Those tests are primarily processed at the lighthouse laboratory in Glasgow.

I do not have the figures for Grampian—I did not know that I would be asked that question, and the figures that I have are not broken down to that level—but I am happy to provide Tom Mason with information on the testing capacity of the NHS lab in Grampian and the most recent number of tests that were processed through it. We need to bear in mind that, although NHS testing is carried out in a number of locations across the country, we operate that as a single resource. Therefore, when one laboratory does not have the capacity to deal with the number of tests that are coming to it from that area, the tests are processed outwith the area, so that they are done in a timely fashion.

### **Covid-19 Testing (Care Workers)**

**Colin Smyth (South Scotland) (Lab):** [*Temporary loss of sound*—a carer contacted me following an outbreak of Covid-19. She was asymptomatic, but was worried about the health of her family, as she had been given personal protective equipment only a couple of days before the outbreak. She applied for a test at the national health service facility in Dumfries and was told that she would have to travel to Stranraer in order to be tested. That is 75 miles away. Is the cabinet secretary confident that care workers who want to be tested are being given one by the NHS and that they do not have to travel excessive distances to get it?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** Colin Smyth's audio broke up a little bit, so if I have missed any part of his question, please come back to me. I think that he asked about a care worker in his constituency who needed a test but was advised to drive to Stranraer, which is some distance from Dumfries, in order to undertake it. That should not have happened.

Care workers have been classified as key workers from the outset. They are eligible for testing, and the NHS should be providing that as close to them as possible. However, if a person has gone through the United Kingdom programme that we are part of, via the portal, they are given an appointment at the nearest possible location, which will not always be where they are based. The same might be true of a mobile testing centre. If they have gone through the NHS, the testing should have been provided locally. Where we see examples of cases such as the one that Colin Smyth mentioned arising, we can intervene. If the local NHS is encountering problems in delivering tests, it should make us aware, so that we can help it to resolve them.

**Colin Smyth:** The mobile testing should surely take the form of NHS teams travelling to care homes to carry out regular tests on care staff and residents, regardless of whether there is an outbreak, rather than carers having to travel for tests.

**Jeane Freeman:** That takes us back to the earlier question that I was asked about testing in care homes where there are no active cases. As I said, that testing policy is continuously under review. We await the outcome of our clinical and scientific advisers' consideration of the best use of our existing testing capacity, and their knowledge and understanding of the virus and how it is transmitted has improved and developed since the outset of the pandemic. If their advice changes, we will change how we deliver testing accordingly.

At the moment, testing of all staff and residents in care homes is carried out when there is an active case. In those instances, I expect testing to go to the care home, and residents and staff to be tested in situ.

**Jamie Greene (West Scotland) (Con):** [*Temporary loss of sound*—more testing to take place, and we know that there is capacity there, what is the main barrier to that testing capacity being used? What is stopping people from going to get the tests?

**Jeane Freeman:** At the moment, the testing policy, or the way in which testing is delivered, is set against three particular priorities. As I have said, those priorities are open to change if evidence comes forward from our scientific and



clinical advisers that leads us to conclude that there should be a change. Testing is available for individuals who are ill, including residents in care homes, in order to inform their clinical treatment. Testing is available to assist key workers, who might be isolating because a member of their household is symptomatic, in returning to work. Testing is also part of our surveillance work.

Our advisers are looking at the matter constantly. As our knowledge of the virus and how it behaves improves, including how it behaves in asymptomatic or pre-symptomatic individuals—and if the advice is that we should consider testing asymptomatic individuals more widely, be they patients, residents of care homes or staff—we will adjust our testing policy accordingly.

We are, of course, testing asymptomatic individuals, because the policy now includes testing those aged 70 or over who are admitted to hospital, and not all of those individuals will be displaying symptoms of the virus.

#### **Social Care Workers (Living Wage)**

**Clare Adamson (Motherwell and Wishaw) (SNP):** Should independent care companies follow the Scottish Government's lead and apply the living wage increase to their adult social care workers?

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** Yes, absolutely. That is the least that can be done in relation to payment to individuals who do a very important and difficult job at the best of times, and whose jobs are even more difficult now. We indicate the degree to which we value a particular workforce through wages and terms and conditions, and I certainly think that all care providers—independent or public—should, at the very least, pay that level of wage.

**The Deputy Presiding Officer:** That concludes members' virtual question time on health and sport. I thank the cabinet secretary, the ministers and other members.

The next meeting of Parliament will be on Tuesday at Holyrood, where social distancing measures will, of course, be in place.

I close the meeting, although I have nothing to bang except my mouse.

*Meeting closed at 15:39.*



This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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