



The Scottish Parliament
Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 38, Session 6

Meeting of the Parliament

Tuesday 26 October 2021

Note: (DT) signifies a decision taken at Decision Time.

The meeting opened at 2.00 pm.

1. Time for Reflection: Rev Kipchumba Too, Minister, Denny Westpark Church of Scotland, led Time for Reflection.

2. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01784—That the Parliament agrees to the following revisions to the programme of business for Tuesday 26 October 2021—

after

followed by First Minister's Statement: COVID-19 Update

insert

followed by Ministerial Statement: Scotland's Retail Sector

followed by Ministerial Statement: Development and Deployment of Carbon Capture, Utilisation and Storage in Scotland

delete

5.00 pm Decision Time

and insert

6.05 pm Decision Time

The motion was agreed to.

3. **Topical Questions:** Questions were answered by Cabinet Secretaries.
4. **Ministerial Statement:** The First Minister (Nicola Sturgeon) made a statement and answered questions on COVID-19 Update.
5. **Urgent Question:** An urgent question, to ask the Scottish Government what action it is taking to help agree a pay deal that is acceptable to council and education workers in order to avert industrial action, was answered by the Cabinet Secretary for Finance and the Economy (Kate Forbes).
6. **Ministerial Statement:** The Minister for Public Finance, Planning and Community Wealth (Tom Arthur) made a statement and answered questions on Scotland's Retail Sector.
7. **Ministerial Statement:** The Cabinet Secretary for Net Zero, Energy and Transport (Michael Matheson) made a statement and answered questions on Development and deployment of carbon capture, utilisation, and storage in Scotland.
8. **A Person Centred Approach to Mental Health and Substance Abuse:** The Minister for Drugs Policy (Angela Constance) moved S6M-01761—That the Parliament recognises the importance of ensuring a person-centred approach to supporting those with substance use and mental health needs; welcomes the investment of £250 million into the national drug mission and the £120 million Mental Health Recovery and Renewal Fund; supports the development of better working links between mental health and substance use services; recognises the need to embed cultural change to address stigma and include a trauma-informed approach; considers that treatment and assistance should be offered from the first point of contact and consistently throughout each person's journey; notes that, when required, outreach services are available to support people to stay in treatment and that services are designed to ensure that this can happen, and recognises that people may also experience multiple and severe disadvantages, such as homelessness and poverty, which require substance use and mental health services to engage other services.

Sue Webber moved amendment S6M-01761.2—

As an amendment to motion S6M-01761 in the name of Angela Constance (A Person Centred Approach to Mental Health and Substance Abuse), insert at end “; notes that people cannot easily get access to the vital mental health or addiction treatment that they need; recognises that Scotland went into this pandemic with a pre-existing mental health crisis, with people seeking mental health treatment being forced to wait far too long for help; believes that progress in the rehabilitation and treatment of addiction in Scotland has been too slow, and calls for a legal right to recovery to tackle Scotland's ongoing drug deaths crisis.”

After debate, the amendment was disagreed to ((DT) by division: For 29, Against 65, Abstentions 20).

Claire Baker moved amendment S6M-01761.3—

As an amendment to motion S6M-01761 in the name of Angela Constance (A Person Centred Approach to Mental Health and Substance Abuse), leave out from “that, when required” to “this can happen, and” and insert “with concern that, in 2019-20, there were 14,976 drug-related hospital stays in Scotland, 13,791 (92%) of which included a drug-related mental and behavioural diagnosis, and in the same year the rate of drug-related mental and behavioural stays was more than three times higher than the rate in 1997-98; agrees that those admitted to hospital, treated in A&E or at the scene by the Scottish Ambulance Service need to be linked up with appropriate community-based services to ensure they get the help and support they need to address the underlying drivers of their substance use; regrets that mental health services have been under-resourced for too long with unacceptable waiting times delaying treatment; recognises that outreach services are essential in supporting people to stay in treatment, but considers that more provision is required across Scotland, and that universal counselling services, such as Drugs, Alcohol and Psychotherapies Limited (DAPL) in Fife, must be more widely available to support people in recovery, and further”.

After debate, the amendment was disagreed to ((DT) by division: For 49, Against 65, Abstentions 0).

The motion was then agreed to (DT).

9. Committee Announcement: Clare Adamson, on behalf of the Constitution, Europe, External Affairs and Culture Committee, made an announcement on Climate Justice.

10. Committee Announcement: Claire Baker, on behalf of the Economy and Fair Work Committee, made an announcement on Call for Views.

11. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01785— That the Parliament agrees to the following revisions to the programme of business for—

(a) Wednesday 27 October 2021—

after

2.00 pm Portfolio Questions: Covid-19 Recovery and Parliamentary Business; Net Zero, Energy and Transport

insert

followed by Ministerial Statement: OECD Education - Next Steps

(b) Thursday 28 October 2021—

after

2.30 pm Portfolio Questions: Rural Affairs and Islands

insert

followed by Ministerial Statement: NHS Endowment Funds

The motion was agreed to.

12. Decision Time: The Parliament took decisions on item 8 as noted above.

13. UK Malnutrition Awareness Week 2021, Malnutrition in Older People: The Parliament debated S6M-00917 in the name of Clare Adamson—That the Parliament acknowledges UK Malnutrition Awareness Week 2021; notes that the annual initiative, which was launched by BAPEN and Malnutrition Taskforce, will take place between 11 and 17 October; believes that malnutrition, which is also known as undernutrition, is a substantial public health issue, with one in 10 older people in Scotland being at risk of, or living with, the condition; recognises that research from projects such as Eat Well Age Well (Food Train) indicates that this figure might be an underestimate, with an estimated 30% of older people at risk; believes that measures such as screening and early intervention, training for health and social care professionals, investment in community initiatives that address social isolation and policies that take account of the differences between food poverty and food insecurity, are integral to addressing malnutrition in older people; understands the continuing challenges faced by older people across Scotland who are at risk of malnutrition with isolation, which has been exacerbated by the COVID-19 pandemic, being a contributory factor; further understands the unprecedented and sustained demand on health and social care services and third sector organisations since the onset of the pandemic; notes the view that addressing malnutrition in older people is a matter of national importance both as a moral imperative and an issue that puts avoidable strain on the country's health and social care services; further notes calls for the Scottish Government do everything in its power to ensure that everyone has reliable access to nutritious, culturally-appropriate and affordable food, as recommended by the Social Renewal Advisory Board in its January 2021 report, *If not now, when?*; commends the work of food policy organisations, such as the charity, Food Train, and dedicated volunteers, in advancing this issue, and wishes everyone involved with UK Malnutrition Awareness Week every success.

The meeting closed at 7.11 pm.

David McGill
Clerk of the Parliament
26 October 2021

Appendix
(Note: this Appendix does not form part of the Minutes)

Committee Reports

The following report was published on 8 October 2021—

Delegated Powers and Law Reform Committee, 12th Report, 2021 (Session 6): Subordinate Legislation considered by the Delegated Powers and Law Reform Committee on 5 October 2021 (SP Paper 27)

The following report was published on 21 October 2021—

Standards, Procedures and Public Appointments Committee, 1st Report, 2021 (Session 6): Model Code of Conduct for Members of Devolved Public Bodies (SP Paper 31)

The following report was published on 26 October 2021—

Health, Social Care and Sport Committee, 1st Report, 2021 (Session 6): Legislative Consent Memorandum on the Health and Care Bill (UK Parliament Legislation) (SP Paper 30)

Legislative Consent Memorandum

The following memorandum was lodged on 25 October 2021—

Kate Forbes, Cabinet Secretary for Finance and the Economy: Legislative Consent Memorandum on the Subsidy Control Bill (UK Parliament legislation) (LCM-S6-9)

Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 8 October 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 4) Regulations 2021 (SSI 2021/357)
laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

The following instrument was laid before the Parliament on 14 October 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel and Operator Liability) (Scotland) Amendment (No. 5) 2021 (SSI 2021/359)
laid under section 122(6) and (7) of the Public Health etc. (Scotland) Act 2008

Affirmative Instruments

The following instrument was laid before the Parliament on 20 October 2021 and is subject to the affirmative procedure—

Relevant Adjustments to Common Parts (Disabled Persons) (Scotland) Amendment Regulations 2021 [draft]

laid under section 210(6) of the Equality Act 2010

Laid Only Instruments

The following instrument was laid before the Parliament on 8 October 2021 and is not subject to any parliamentary procedure—

Criminal Justice and Licensing (Scotland) Act 2010 (Commencement No. 16) Order 2021 (SSI 2021/355 (C.27))

laid under section 30(2) of the Interpretation and Legislative Reform (Scotland) Act 2010.

Other Documents

The following documents were laid before the Parliament on 8 October 2021 and are not subject to parliamentary procedure—

Coronavirus (Scotland) (No.2) Act 2020: Eighth report on the Scottish Ministers' responses to requests for information under the Freedom of Information (Scotland) Act 2002 SG/2021/253 laid under paragraph 12 of schedule 4 to the Coronavirus (Scotland) (No.2) Act 2020

Commissioner for Ethical Standards in Public Life in Scotland Revised Strategic Plan 2021 - 2024 CES/2021/01 laid by the Commissioner for Ethical Standards in Public Life in Scotland in pursuance of section 14(7) of the Scottish Parliamentary Commissions and Commissioners etc. Act 2010 as amended.

The following document was laid before the Parliament on 11 October 2021 and is not subject to parliamentary procedure—

GTC Scotland Annual Report and Financial Statements-Year to 31 March 2021 GTCS/2021/01 laid under Section 22 (5) of Public Finance and Accountability (Scotland) Act 1995

The following documents were laid before the Parliament on 12 October 2021 and are not subject to parliamentary procedure—

The 2020/21 audit of NHS National Services Scotland SG/2021/263 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

NHS National Services Scotland Annual Report and Accounts For the year to 31 March 2021 SG/2021/262 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 13 October 2021 and are not subject to parliamentary procedure—

Coronavirus Acts: ninth report to Scottish Parliament SG/2021/237 laid by a member of the Scottish Government under Section 15(5) of the Coronavirus (Scotland) Act 2020

Crofting Commission Annual Report & Accounts 2020/21 SG/2021/178 laid under Section 2B and paragraph 19 of Schedule 1 of the Crofters (Scotland) Act 1993

The 2020/21 audit of the Crofting Commission SG/2021/179 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 14 October 2021 and are not subject to parliamentary procedure—

Fair Start Scotland Annual Report Year 3 SG/2021/244 laid at the request of a member of the Scottish Government and not under any laying power

Scottish Information Commissioner Annual Report and Accounts 2020-21 SG/2021/241 laid under section 46(1) of the Freedom of Information (Scotland) Act 2002 and section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Scottish Public Services Ombudsman Annual Report and Accounts 2020-21 SG/2021/268 laid under section 22(5) of the Public Finance & Accountability (Scotland) Act 2000.

Scottish Public Services Ombudsman: Annual Report 2020-21 SPSO/2021/AR laid under Sections 17(1) and (3) of the Scottish Public Services Ombudsman Act 2002.

The following documents were laid before the Parliament on 15 October 2021 and are not subject to parliamentary procedure—

Scottish Animal Welfare Commission Annual Report of SAWC Activity 2020-2021 SG/2021/261 laid under Section 14(2) of the Scottish Animal Welfare Commission Regulations 2020

Scottish Funding Council Annual Report and Accounts 2020-21 SG/2021/259 laid under section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

The following document was laid before the Parliament on 19 October 2021 and is not subject to parliamentary procedure—

Construction Industry Training Board (CITB) Annual Report and Accounts 2020-2021 SG/2021/188 laid under section 88 of the Scotland Act 1998

The following documents were laid before the Parliament on 20 October 2021 and are not subject to parliamentary procedure—

HMICS Thematic Inspection of Police Scotland Training and Development-Phase 2 HMICS/2021/07 laid under section 79(3) of the Police and Fire Reform (Scotland) Act 2012

Scottish Public Services Ombudsman: Compendium of Discontinued Investigations: Compendium of Case Reports for October 2021 SPSO/2021/09 laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

The following documents were laid before the Parliament on 21 October 2021 and are not subject to parliamentary procedure—

Benefit Take-up Strategy: October 2021 SG/2021/207 laid under section 8(3)(a) of the Social Security (Scotland) Act 2018

National Museums Scotland Annual Report and Accounts for the year ended 31 March 2021 SG/2021/280 laid under section 22(5) of the Public Finance & Accountability (Scotland) Act 2000

National Library of Scotland Annual Report and Financial Statements for the year ended 31st March 2021 SG/2021/279 laid under section 22(5) of the Public Finance & Accountability (Scotland) Act 2000

National Galleries of Scotland Trustees' Annual Report and Financial Statements for the year ended 31 March 2021 SG/2021/278 laid under section 22(5) of the Public Finance & Accountability (Scotland) Act 2000

Scottish Forestry Annual Report and Accounts 2020-21 SG/2021/282 laid under section 22(5) of the Public Finance & Accountability (Scotland) Act 2000

The following documents were laid before the Parliament on 25 October 2021 and are not subject to parliamentary procedure—

Children's Hearings Scotland - Annual Report and Accounts 2020-21 (SG/2021/256) laid under Paragraph 21 of schedule 3 of the Children's Hearings (Scotland) Act 2011 and Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Children's Hearings Scotland Impact Report 2020-21 (SG/2021/257) laid at the request of a member of the Scottish Government and not under any laying power

Highlands and Islands Enterprise Annual Report and Accounts 2020-21 (SG/2021/260) laid under Section 30 of the Enterprise and New Towns (Scotland) Act 1990

The following document was laid before the Parliament on 26 October 2021 and is not subject to parliamentary procedure—

Scottish Commission for Human Rights Annual Report 2020-21
(SHRC/2021/01) laid under Section 15 of the Scottish Commission for Human Rights
Act 2006

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