



# The Scottish Parliament Pàrlamaid na h-Alba

## MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 26, Session 6

Meeting of the Parliament

Tuesday 14 September 2021

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

The meeting opened at 2.00 pm.

**1. Time for Reflection:** Linda Britton, Celebrant, Humanist Society Scotland, led Time for Reflection.

**2. Revision to Business Programme:** Stephen Kerr MSP, on behalf of the Parliamentary Bureau, moved S6M-01227—That the Parliament agrees—

(a) that the Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021 [draft] be considered by the Parliament;

(b) the following revision to the programme of business for Tuesday 14 September 2021—

after

*followed by* Scottish Government Debate: A Caring Nation - Recovering, Remobilising and Renewing Health and Social Care in Scotland

insert

*followed by* Approval of SSIs

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 asking the Scottish Parliamentary Corporate Body for what reason it applied for designated status for the Scottish Parliament under the Serious Organised Crime and Police Act 2005, and whether it will publish the background paper upon which this decision was based, was answered by Clare Baker MSP.

**6. A Caring Nation – Recovering, Remobilising and Renewing Health and Social Care in Scotland:** The Cabinet Secretary for Health and Social Care (Humza Yousaf) moved S6M-01190—That the Parliament thanks Scotland's NHS and social care staff for their heroic efforts during the COVID-19 pandemic; recognises that the pandemic has been the biggest shock that the NHS and social care services have ever faced; notes that the NHS is currently under intense pressure due to the pandemic and that primary care, ambulance and hospital staff are working around the clock to deliver care to patients; recognises that well in excess of £1 billion has already been provided this year to address COVID-19 pressures in health and social care and that further funding will be allocated to support service pressures; welcomes the £1 billion NHS Recovery Plan that will significantly increase NHS inpatient, outpatient and diagnostic capacity; notes that this increase includes recruiting an additional 1,500 staff to work in the network of National Treatment Centres; recognises that the Plan puts particular focus on early cancer diagnostics and referral pathways as well as child and adult mental health services; agrees that the mental health and wellbeing of health and social care staff is a key priority and central focus of the Plan; supports the commitment to create a National Care Service; recognises that ethical commissioning, and setting terms and conditions that meet the Fair Work principles, could greatly improve how social care is delivered, and believes that the voices of lived experience, including those who access support and care, the workforce and unpaid carers must be central to the ongoing consultation on the service.

Craig Hoy moved amendment S6M-01190.3—

As an amendment to motion S6M-01190 in the name of Humza Yousaf (A Caring Nation - Recovering, Remobilising and Renewing Health and Social Care in Scotland), leave out from second "recognises" to end and insert "believes that concrete plans should be set out on tackling the immediate crisis in the NHS, such as the record A&E waiting times; recognises the publication of the consultation for a National Care Service; notes that the proposed scope of the National Care Service is a significant expansion of the recommendations contained in the Feeley Review and that the health and social care system is already under immense strain due to the pandemic and previous Scottish Government failures; considers that such a significant service reorganisation could be hugely damaging at this time, and believes that local delivery is key in delivering services."

After debate, the amendment was disagreed to ((DT) by division: For 33, Against 66, Abstentions 21).

Jackie Baillie moved amendment S6M-01190.2—

As an amendment to motion S6M-01190 in the name of Humza Yousaf (A Caring Nation - Recovering, Remobilising and Renewing Health and Social Care in Scotland), leave out from "thanks" to end and insert "appreciates all health and social care staff for their hard work both before and during the COVID-19 pandemic; recognises that the pressure they are currently facing is compounded by the historic workforce planning failures of the Scottish Government; regrets that the impact of the current COVID-19 pandemic on the NHS has been exacerbated by 14 years of Scottish Government mismanagement, which left NHS services struggling to keep up with demand long before the pandemic, with patients waiting too long to access medical treatment, and hardworking staff facing burnout and stress, and feeling undervalued; considers that the NHS is currently in crisis, with the average wait for an ambulance now at an alarming six hours, and recent statistics showing A&E under significant pressure as only 81.5% of patients were admitted, transferred or discharged within the four-hour target in July 2021, which is the lowest monthly percentage for at least 14 years; acknowledges that, despite there being over 600,000 people on NHS waiting lists for treatment, diagnosis or outpatient appointments in Scotland, the NHS Recovery Plan published by the Scottish Government does not include proposals on how to increase activity to address this backlog until next year; agrees with the BMA that the commitments within the plan are 'unrealistic' and that it has a number of 'worrying gaps', especially on how to address staff shortages; believes that tackling the mental health crisis facing Scotland should be an immediate priority for the Scottish Government, with new statistics showing that the number of children and young people waiting for appointments is at a record high, with almost 12,000 young people waiting to be seen at the end of June 2021; strongly believes that the Scottish Government urgently needs to get the pandemic under control by improving the Test and Protect system, which is currently failing to meet the World Health Organization's standards on contact tracing, as only 60.5% of contact tracing in the week ending 29 August 2021 was completed within 72 hours; notes the Scottish Government's commitment to create a National Care Service, but urges the Scottish Government to also address immediate issues in social care by restarting respite services, ending non-residential care charges and addressing poverty pay in the sector by supporting a pay rise for social care staff to at least £15 per hour."

After debate, the amendment was disagreed to ((DT) by division: For 21, Against 100, Abstentions 0).

Alex Cole-Hamilton moved amendment S6M-01190.4—

As an amendment to motion S6M-01190 in the name of Humza Yousaf (A Caring Nation - Recovering, Remobilising and Renewing Health and Social Care in Scotland), leave out from "welcomes" to end and insert "notes that the NHS is under intense pressure because ministerial mistakes in workforce planning since 2007 contributed to the failure to meet key waiting times targets for years pre-pandemic; believes that the NHS Recovery Plan should be

strengthened with a trajectory for meeting those targets to give new hope to overworked staff and patients waiting; further believes that there should be new national entitlements to guarantee quality of care for service users, with the funding to match, and new national fair work standards for staff to improve pay, conditions and career progression; believes, however, that Scottish Government proposals for a centralised ministerial takeover of social care will distract and detract from those ambitions; recalls the mistakes of previous centralisations conducted by the Scottish Government, and calls for the additional proposals contained in the Scottish Government consultation to use centralisation to seize control of other services, including children and young people, community justice and social work, described as an attack on local government, to also be withdrawn."

After debate, the amendment was disagreed to ((DT) by division: For 54, Against 66, Abstentions 0).

The motion was then agreed to ((DT) by division: For 67, Against 32, Abstentions 21).

**7. Approval of SSI:** The Minister for Social Security and Local Government (Ben Macpherson) moved S6M-01219—That the Parliament recommends that the Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021 [draft] be approved.

The motion was agreed to (DT).

**8. Decision Time:** The Parliament took decisions on items 6 and 7 as noted above.

**9. 2020 Tokyo Paralympics:** The Parliament debated S6M-00946 in the name of Karen Adam— That the Parliament recognises the 2020 Tokyo Paralympics, held from 24 August to 5 September 2021, for bringing people together from around the world and raising awareness of disabilities; congratulates the staff and volunteers whose tireless work makes this event possible; wishes good luck to the 33 Scots who are competing, and thanks them for the positive impact their inspiring endeavours have on society in the Banffshire and Buchan Coast constituency, Scotland and beyond.

The meeting closed at 6.14 pm.

**David McGill**  
Clerk of the Parliament  
14 September 2021

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

**Committee Reports**

The following report was published on 13 September 2021—

Social Justice and Social Security Committee, 1st Report, 2021 (Session 6):  
Carer's Allowance Supplement (Scotland) Bill Stage 1 Report (SP Paper 10)

The following reports were published on 14 September 2021—

Education Children and Young People Committee, 1st Report, 2021 (Session 6): Subordinate legislation - The Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment (No. 2) Order 2021 (SP Paper 6)

Delegated Powers and Law Reform Committee, 5th Report, 2021 (Session 6):  
Subordinate Legislation considered by the Delegated Powers and Law Reform Committee (SP Paper 11)

**Legislative Consent Memorandum**

The following memorandum was lodged on 10 September 2021—

Shona Robison, Cabinet Secretary for Social Justice, Housing and Local Government: Legislative Consent Memorandum on the Social Security (Up-rating of Benefits) Bill (UK Parliament legislation) (LCM-S6-7)

**New Subordinate Legislation**

**Made Affirmative Instruments**

The following instrument was laid before the Parliament on 10 September 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus) (International Travel) (Scotland) Amendment (No. 18) Regulations 2021 (SSI 2021/307)  
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 10 September 2021 and is subject to the affirmative procedure—

Disability Assistance for Children and Young People (Scotland) Amendment Regulations 2021 [draft]  
laid under section 96(2) of the Social Security (Scotland) Act 2018

The following instrument was laid before the Parliament on 13 September 2021 and is subject to the affirmative procedure—

Social Security (Residence Requirements) (Afghanistan) (Scotland) Regulations 2021 [draft]

laid under section 96(2) of the Social Security (Scotland) Act 2018

The following instruments were laid before the Parliament on 14 September 2021 and are subject to the affirmative procedure—

Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2021 [draft]

laid under section 201(2) of the Representation of the People Act 1983

Scottish Local Government Elections Amendment Order 2021 [draft]

laid under section 16(5) of the Local Governance (Scotland) Act 2004

### **Negative Instruments**

The following instrument was laid before the Parliament on 10 September 2021 and is subject to the negative procedure—

Social Security (Claims and Payments) (Miscellaneous Amendments) (Scotland) Regulations 2021 (SSI 2021/305)

laid under section 190(3) of the Social Security Administration Act 1992

The following instrument was laid before the Parliament on 14 September 2021 and is subject to the negative procedure—

Representation of the People (Variation of Limits of Candidates' Local Government Election Expenses) (Scotland) Order 2021 (SSI 2021/310)

laid under section 76A(3) of the Representation of the People Act 1983

### **Laid Only Instruments**

The following instrument was laid before the Parliament on 13 September 2021 and is not subject to any parliamentary procedure—

Scottish Crown Estate Act 2019 (Commencement No. 3) Regulations 2021 (SSI 2021/308 (C. 19))

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

The following instruments were laid before the Parliament on 14 September 2021 and are not subject to any parliamentary procedure—

Act of Sederunt (Registration Appeal Court) 2020 (SSI 2021/309)

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

Scottish Elections (Reform) Act 2020 (Commencement No. 3 and Transitional Provision) Regulations 2021 (SSI 2021/311 (C. 20))

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

Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 6 and Transitional Provision) Order 2021 (SSI 2021/314 (C. 21))

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 10 September 2021 and are not subject to parliamentary procedure—

**Standards Commission for Scotland: Annual Report 2020/21 SCfS/2021/01** laid under paragraph 10F to Schedule 1 of the Ethical Standard in Public Life etc. (Scotland) Act 2000 as amended by the Scottish Parliamentary Commissions and Commissioners etc. Act 2010

**The Scottish Ministers response to the Scottish Commission on Social Security report on the draft Disability Assistance for Children and Young People (Scotland) Amendment Regulations 2021 SG/2021/236** laid under section 97(9)(a) of the Social Security (Scotland) Act 2018

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