

Coronavirus (Discretionary Compensation for Self-Isolation) (Scotland) Bill: Final Response to Covid-19 Recovery Committee Stage 1 Report

Approach

The conclusions of the Committee's Report are outlined below; the Scottish Government's response to each point is included below each point in bold.

Responses

The Committee acknowledges the reasons why the Scottish Government considers this Bill is required and is in agreement that separate legislation is required. The Committee notes the concerns raised by witnesses in relation to the support available to those asked to self-isolate in respect of COVID-19.

It draws the Scottish Government's attention to this evidence and recommends that the Scottish Government, separately from the Bill, reviews the level of support currently being provided and the eligibility criteria for those who qualify for support.

Response:

The Scottish Government is committed to providing support for those who are asked to self-isolate in order to prevent further transmission of COVID-19. The eligibility criteria for Self-Isolation have changed recently, on multiple occasions, to adapt to changes in isolation policy including in light of the Omicron variant and the increased transmissibility it presents.

According to the Scottish Government's COVID-19 Support Study, undertaken by ScotCen, the clear majority, 84 per cent, of participants who had contact with their local authority, who deliver isolation support, indicated that they were satisfied their support needs had been met.

The Scottish Government keeps the eligibility criteria and the level of support provided for those self-isolating as a result of COVID-19 under regular review, and will adapt it should circumstances require.

The Committee also recommends that the Scottish Government considers how best to increase public awareness of the support available to those being asked to self-isolate and of the eligibility criteria for the support schemes in place.

Response:

The Scottish Government will continue to keep messaging around self-isolation support under review and has undertaken various national public campaigns to raise awareness around self-isolation, including the support available. This support has also been referenced and set out regularly by Ministers, both in parliament and on televised briefings. There is also comprehensive advice maintained on both self-isolation and support available at the Scottish Government website and NHS Inform.

The Scottish Government will continue to review its public communications around self-isolation support to ensure that public awareness is as high as possible.

The Committee considers that a requirement to produce a statement of reasons when making regulations under section 3(2) to extend the expiry date of section 1, or when making emergency regulations under section 3, is appropriate and is provided for in the Bill in section 4(3) and section 4(5) respectively. However, in the interests of parliamentary scrutiny, when making emergency regulations, the Committee believes that the statement of reasons should also explain why it is necessary to make the regulations urgently and recommends the Scottish Government considers this in advance of Stage 2.

Response:

At Committee, I gave an undertaking that I would consider whether to include the need for urgency in the regulations in the Statement of Reasons.

Having considered the matter and reflected, I agree and have listened to these concerns. I can now confirm that, should a statement of reasons be required in relation to regulations required in urgent circumstances, that statement will contain an explanation of that urgency, as well as why the proposed extension is required. I am grateful to the Committee and the Law Society of Scotland for this recommendation and hope that this concession helps provide assurance.

The Committee recommends that, at an appropriate time, the Scottish Government should review the compensation provisions in the 2008 Act to ensure they are fit for purpose. The Committee supports the general principles of the Bill and recommends to the Parliament that they be agreed to.

Response:

At my appearance on the 16 December, I outlined that it was important that we be clear that the 2008 Act is fit for the purpose for which it was designed, for isolated examples of self-isolation. This does not apply to distributing large levels of financial support in a global pandemic, which is why this Bill is required.

It is important the Committee continues to engage on these matters and that we learn the lessons we need to in order to have as effective a response as possible in future pandemics. The Scottish Government will continue to engage with the Committee on these matters.