



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 4, No. 2, Session 5

Meeting of the Parliament

Wednesday 15 May 2019

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

The meeting opened at 2.00 pm.

- 1. Portfolio Questions:** Questions on Rural Economy and then on Transport, Infrastructure and Connectivity were answered by Cabinet Secretaries and Ministers.
- 2. Treatment Time Guarantee:** Alex Cole-Hamilton moved S5M-17281—That the Parliament notes that the Scottish Government’s legally-binding 12-week treatment time guarantee has been broken at least 190,000 times since its introduction; notes that it is currently being missed by the largest ever margin, approximately 200 times a day; understands that the Scottish Government currently plans to stop breaching its own law by 2021, a full decade after the Patient Rights (Scotland) Act 2011, which established it; is concerned that there is no effective redress for patients or penalty for the Scottish Government in the event that it is breached; believes therefore that every patient who is subject to the treatment time guarantee should be given a realistic estimate of their waiting time from the outset, and calls for every patient for whom the 12-week legally binding guarantee is missed to be sent a letter by the health secretary apologising for the Scottish Government’s failure to abide by its law and providing details of how many times the 12-week target has been missed to date.

Cabinet Secretary for Health and Sport (Jeane Freeman) moved amendment S5M-17281.4—

As an amendment to motion S5M-17281 in the name of Alex Cole-Hamilton (Treatment Time Guarantee), leave out from “Government’s legally-binding” to end and insert “Government offers an unreserved apology to any patient who waits longer for treatment than they should do; further notes that this extends

beyond patients covered by the treatment time guarantee to those receiving any form of NHS care, including through outpatient, A&E, and mental health services; believes that every patient should be given a realistic estimate of their waiting time in writing, that anyone not being seen within their target should receive an apology in that letter, and that this should be underpinned by updating the patients' charter; understands that the Scottish Government's waiting time improvement plan sets a trajectory of investment and recovery, and believes an early aim of this work should be to ensure that there are no patients with very long waits for treatment."

After debate, amendment S5M-17281.4 was disagreed to ((DT) by division: For 57, Against 59, Abstentions 0).

Miles Briggs moved amendment S5M-17281.1—

As an amendment to motion S5M-17281 in the name of Alex Cole-Hamilton (Treatment Time Guarantee), insert at end “; notes the health secretary's comments that there are still too many people waiting too long for the treatment that they need; further notes that the treatment time guarantee is not the only waiting time target being missed, with others including the 18-week referral to treatment standard, the 62-day cancer urgent referrals standard, psychological therapies waiting times and the CAMHS waiting time standard; is concerned that waiting times are too long, and believes that the Scottish Government needs to take action to give the NHS the resources and the leadership that it needs to tackle this crisis.”

After debate, amendment S5M-17281.1 was disagreed to ((DT) by division: For 53, Against 57, Abstentions 6).

Monica Lennon moved amendment S5M-17281.2—

As an amendment to motion S5M-17281 in the name of Alex Cole-Hamilton (Treatment Time Guarantee), after “from the outset” insert “; notes that 12 months have passed since the Parliament called on the government to ensure that accurate waiting times are given to patients; is disappointed that no changes have yet been made to the Charter of Patient Rights and Responsibilities to deliver this; considers that long and unknown waits can adversely affect an individual's family life, mental and physical wellbeing, education, income and employment”.

After debate, amendment S5M-17281.2 was disagreed to ((DT) by division: For 53, Against 57, Abstentions 6).

The motion was disagreed to ((DT) by division: For 53, Against 63, Abstentions 0).

3. Education: Tavish Scott moved S5M-17280—That the Parliament believes that there is no more important investment than in the education of Scotland's young people; recalls that the First Minister said that education would be her administration's number one priority, but believes that this has not been reflected in its focus, policies,

staff conditions, recruitment and retention, or the means of measurement of Scottish education.

Cabinet Secretary for Education and Skills (John Swinney) moved amendment S5M-17280.2—

As an amendment to motion S5M-17280 in the name of Tavish Scott (Education), leave out from “, but believes” to end and insert “; welcomes the recent agreement reached by professional associations, local government and the Scottish Government to provide an increase in teacher pay; believes that improved pay is an important element in the attractiveness of the teaching profession, as part of a wider strategy to address recruitment and retention problems; further believes that teachers’ professionalism should be supported through improved career-long professional learning, clear professional ownership of their own curricular role and a shared leadership role within a collegiate approach to Scotland’s schools; recognises the challenge represented by the increasing need for additional support, and agrees that the Scottish Government will review the use of coordinated support plans to ensure that young people with the most significant additional needs are receiving the support that they require.”

Iain Gray moved amendment S5M-17280.1—

As an amendment to motion S5M-17280 in the name of Tavish Scott (Education), after “retention,” insert “and budget decisions, especially with regard to the funding of local government,”.

After debate, amendment S5M-17280.2 was agreed to ((DT) by division: For 63, Against 52, Abstentions 0). As a result, amendment S5M-17280.1 was pre-empted.

The motion, as amended, was then agreed to (DT).

Accordingly, the Parliament resolved—That the Parliament believes that there is no more important investment than in the education of Scotland’s young people; recalls that the First Minister said that education would be her administration’s number one priority; welcomes the recent agreement reached by professional associations, local government and the Scottish Government to provide an increase in teacher pay; believes that improved pay is an important element in the attractiveness of the teaching profession, as part of a wider strategy to address recruitment and retention problems; further believes that teachers’ professionalism should be supported through improved career-long professional learning, clear professional ownership of their own curricular role and a shared leadership role within a collegiate approach to Scotland’s schools; recognises the challenge represented by the increasing need for additional support, and agrees that the Scottish Government will review the use of coordinated support plans to ensure that young people with the most significant additional needs are receiving the support that they require.

4. Business Motion: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-17286—That the Parliament agrees—

(a) the following programme of business—

Tuesday 21 May 2019

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Portfolio Questions: Government Business and Constitutional Relations; Culture, Tourism and External Affairs; Education and Skills

followed by Scottish Government Debate: Removing the Stigma of the Menopause

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 22 May 2019

1.30 pm Parliamentary Bureau Motions

1.30 pm Economy, Energy and Fair Work Committee Debate: Business support inquiry

followed by General Questions

followed by First Minister's Questions

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Tuesday 28 May 2019

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by Stage 1 Debate: Children (Protection from Assault) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 29 May 2019

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Health and Sport; Communities and Local Government

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 30 May 2019

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Social Security and Older People

followed by Scottish Government Business

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, in relation to any debate on a business motion setting out a business programme taken on Wednesday 22 May 2019, the second sentence of rule 8.11.3 is suspended and replaced with “Any Member may speak on the motion at the discretion of the Presiding Officer”;

(c) that, in relation to First Minister’s Questions on Wednesday 22 May 2019, in rule 13.6.2, insert at end “and may provide an opportunity for Party Leaders or their representatives to question the First Minister”; and

(d) that, for the purposes of Portfolio Questions in the week beginning 20 May 2019, in rule 13.7.3, after the word “except” the words “to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or” are inserted.

The motion was agreed to.

5. Business Motion: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-17287—That the Parliament agrees that consideration of the Climate Change (Emissions Reduction Targets) (Scotland) Bill at stage 2 be completed by Friday 28 June 2019.

The motion was agreed to.

6. Parliamentary Bureau Motion: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved—

S5M-17288 Approval of SSI—That the Parliament agrees that the Public Appointments and Public Bodies etc. (Scotland) Act 2003 (Treatment of South of Scotland Enterprise as Specified Authority) Order 2019 [draft] be approved.

S5M-17289 Designation of Lead Committee—That the Parliament agrees that the Local Government and Communities Committee be designated as the lead committee in consideration of the Period Products (Free Provision) (Scotland) Bill at stage 1.

S5M-17297 Committee Meeting Times—That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Environment, Climate Change and Land Reform Committee can meet, if necessary, at the same time as a meeting of the Parliament from 2.30pm to 4.30pm on Tuesday 28 May 2019 for the purpose of considering evidence on its inquiry on the report of the Committee on Climate Change.

The motions were agreed to (DT).

7. Decision Time: The Parliament took decisions on items 2, 3 and 6 as noted above.

8. Foster Care Fortnight 2019: The Parliament debated 17102 in the name of Kezia Dugdale—That the Parliament welcomes Foster Care Fortnight 2019, which takes place from 13 to 26 May; understands that this will be the UK’s biggest foster care awareness raising campaign and will showcase the commitment, passion and

dedication of foster carers; notes that it will also seek to highlight that more foster carers are needed; understands that, in Scotland, although there are approximately 4,000 foster families, the Fostering Network estimates that this represents a shortfall of 550; believes that Action for Children, which supports 54 foster carers in Scotland, has stated that “becoming a foster carer can be one of the most rewarding things a person could ever do, as that person provides a loving and stable home for a child who can no longer live with their family”; acknowledges that people who have considered becoming a foster carer should know that, if they want to take the next step, organisations such as Action for Children, as well as local authorities, can provide support and information to assist their journey towards this; hopes the organisers of the fortnight enjoy every success with this celebration of fostering, and commends this work that aims to inspire more people to become foster carers.

The meeting closed at 5.53 pm.

P E Grice
Clerk of the Parliament
15 May 2019

Appendix

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

Legislative Consent Memorandum

The following memorandum was lodged on 15 May 2019—

Roseanna Cunningham, Cabinet Secretary for Environment, Climate Change and Land Reform: Legislative Consent Memorandum on the Wild Animals in Circuses (No. 2) Bill (UK Parliament legislation) (LCM-S5-24)

Published by the Scottish Parliamentary Corporate Body

All documents are available on
the Scottish Parliament website at:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000 or 0800 092 7500

Email: sp.info@parliament.scot

Live chat on parliament.scot

You can write to us in any language or contact us
using the Text Relay service or in British Sign
Language through contactScotland-BSL.

© Parliamentary copyright. Scottish Parliamentary Corporate Body

The Scottish Parliament's copyright policy can be found on the website -
www.parliament.scot or by contacting Public Information