



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 5, No. 64, Session 5

Meeting of the Parliament

Wednesday 18 November 2020

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

The meeting opened at 2.00 pm.

1. Revision to Business Programme: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-23411—That the Parliament agrees to the following revisions to the programme of business on Thursday 19 November 2020—

delete

2.30 pm Portfolio Questions: Constitution, Europe and External Affairs

insert

2.00 pm Portfolio Questions: Constitution, Europe and External Affairs

after

followed by Public Petitions Committee Debate: Improving Youth Football in Scotland

insert

followed by Scottish Government Debate: COVID-19

delete

5.05 pm Decision Time

and insert

6.30 pm Decision Time

The motion was agreed to.

2. Portfolio Questions: Questions on Transport, Infrastructure and Connectivity were answered by a Cabinet Secretary, and then questions on Justice and the Law Officers were answered by a Cabinet Secretary and a Minister.

3. Safe Schools: Ross Greer moved S5M-23385—That the Parliament believes that education is best delivered in the classroom, but that making schools safe for pupils, teachers and staff must be a top priority of government during the pandemic; notes that, as of 10 November 2020, 29,486 pupils and 2,615 staff were absent from Scottish schools for COVID-19-related reasons, with absence rates affecting areas with higher levels of deprivation more; expresses concern regarding reports that some school staff have been instructed to turn off the Protect Scotland app when in school and may have felt under pressure to continue to attend schools even when notified by the app of a potential exposure risk; considers it unacceptable that some clinically vulnerable teachers have felt pressured to return to in-person teaching against specific advice from their GPs to the contrary and in the absence of an overall national strategy on how to deal with school staff with chronic or underlying health conditions; calls on the Scottish Government to work with local authorities to ensure that any vulnerable school staff member who is medically unable to attend school in person without being placed at unacceptable risk is better supported to either work from home or in a safer alternative setting, or, if this is not possible, to potentially be placed on leave without loss of income; expresses disappointment in government efforts to adequately prepare resource levels for COVID-19-related staff absences; calls on the Scottish Government to deliver funding for the purpose of recruiting at least an additional 2,000 full-time teachers to ensure that all schools can maintain safe staffing levels while managing absences due to COVID-19, and further calls on the Scottish Government to make regular voluntary COVID-19 testing widely available for asymptomatic staff and senior pupils across all of Scotland's schools.

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney) moved amendment S5M-23385.3—

As an amendment to motion S5M-23385 in the name of Ross Greer (Safe Schools), leave out from second “expresses” to end and insert “commends the work of local government and the Scottish Government in the recruitment of an additional 1,250 teachers and 155 support staff, with an estimated 200 further teachers and 100 support staff in the pipeline; further commends COSLA and the Scottish Government for continuing to work in partnership to ensure sufficient teaching and support staff in schools; recognises the Scottish Government's commitment to provide an additional £155 million for the COVID response in school education while awaiting the outcome of a COSLA-led exercise on additional costs incurred by local authorities in relation to school safety; notes that testing is available for asymptomatic teachers who have concerns, and commits to exploring how to expand testing further for teachers and other school staff; expresses its gratitude to teachers and other school staff for the professionalism and dedication they have shown to keep schools open safely, and thereby continuing to protect the development, wellbeing and educational progress of children and young people; welcomes the Health and Safety Executive's very positive feedback about the work done by school staff to implement the school safety guidance, following a programme of independent spot-checks and inspections, and further welcomes the findings of

the Connect parent/carer 'back at school survey' where 70% of respondents feel school is going well for their child.”

After debate, the amendment was disagreed to ((DT) by division: For 58, Against 64, Abstentions 0).

Jamie Greene moved amendment S5M-23385.2—

As an amendment to motion S5M-23385 in the name of Ross Greer (Safe Schools), insert at end “; notes that participation rates in online learning during the pandemic have been variable across the country, with some pupils and teachers left without access to adequate digital infrastructure or devices to fully facilitate online learning; further notes that, in the absence of nationally co-ordinated online learning materials to support the curriculum, many young people in Scotland missed out on valuable education despite the best efforts and endeavours of their parents and teachers, and calls on the Scottish Government and its agencies to ensure that no child is left behind if required to study from home.”

After debate, the amendment was agreed to ((DT) by division: For 64, Against 58, Abstentions 0).

Iain Gray moved amendment S5M-23385.1—

As an amendment to motion S5M-23385 in the name of Ross Greer (Safe Schools), insert at end “, as well as investigating the possibility of resourcing improvements to ventilation in the school estate and producing a report based on Test and Protect that examines infection patterns within school settings.”

After debate, the amendment was agreed to (DT).

The motion as amended was then agreed to ((DT) by division: For 64, Against 1, Abstentions 56).

Accordingly, the Parliament resolved—That the Parliament believes that education is best delivered in the classroom, but that making schools safe for pupils, teachers and staff must be a top priority of government during the pandemic; notes that, as of 10 November 2020, 29,486 pupils and 2,615 staff were absent from Scottish schools for COVID-19-related reasons, with absence rates affecting areas with higher levels of deprivation more; expresses concern regarding reports that some school staff have been instructed to turn off the Protect Scotland app when in school and may have felt under pressure to continue to attend schools even when notified by the app of a potential exposure risk; considers it unacceptable that some clinically vulnerable teachers have felt pressured to return to in-person teaching against specific advice from their GPs to the contrary and in the absence of an overall national strategy on how to deal with school staff with chronic or underlying health conditions; calls on the Scottish Government to work with local authorities to ensure that any vulnerable school staff member who is medically unable to attend school in person without being placed at unacceptable risk is better supported to either work from home or in a safer alternative setting, or, if this is not possible, to potentially be placed on leave without

loss of income; expresses disappointment in government efforts to adequately prepare resource levels for COVID-19-related staff absences; calls on the Scottish Government to deliver funding for the purpose of recruiting at least an additional 2,000 full-time teachers to ensure that all schools can maintain safe staffing levels while managing absences due to COVID-19, and further calls on the Scottish Government to make regular voluntary COVID-19 testing widely available for asymptomatic staff and senior pupils across all of Scotland's schools; notes that participation rates in online learning during the pandemic have been variable across the country, with some pupils and teachers left without access to adequate digital infrastructure or devices to fully facilitate online learning; further notes that, in the absence of nationally co-ordinated online learning materials to support the curriculum, many young people in Scotland missed out on valuable education despite the best efforts and endeavours of their parents and teachers, and calls on the Scottish Government and its agencies to ensure that no child is left behind if required to study from home, as well as investigating the possibility of resourcing improvements to ventilation in the school estate and producing a report based on Test and Protect that examines infection patterns within school settings.

4. Declaration of a Nature Emergency: Mark Ruskell moved S5M-23383—That the Parliament notes with grave concern the catastrophic collapse in biodiversity globally and in Scotland, with one in nine species threatened with extinction from Scotland, and therefore declares a nature emergency; believes that restoring nature should be a central component of green economic recovery and future rural support, stimulating the economy and creating jobs; calls for urgent legislation to halt the loss of biodiversity and to enable nature to recover through a coherent national ecological network, including well-managed, protected sites in good condition comprising at least 30% of Scotland's sea and land by 2030, a third of which should be fully protected; calls for an end to driven grouse moor management practices, large-scale peat extraction and damaging fishing practices in sensitive marine environments, and further calls on the Scottish Government to introduce a moratorium on salmon farm expansion until the concerns raised in the Rural Economy and Connectivity Committee's 2018 report on salmon farming in Scotland are fully addressed.

The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham) moved amendment S5M-23383.4—

As an amendment to motion S5M-23383 in the name of Mark Ruskell (Declaration of a Nature Emergency), leave out from “therefore declares” to end and insert “calls for the continued treatment of climate change and biodiversity loss on a twin-crises basis as set out in the Scottish Government's Environment Strategy; believes that restoring nature should be a central component of recovery; welcomes therefore the Scottish Government's commitment to a green recovery that captures the opportunities of a just transition to net zero, creates good, green jobs and leaves no one behind; further welcomes the advice of the Just Transition Commission and others in this regard; recognises that 34% of Scotland's waters are already covered by MPAs, including the West of Scotland MPA, which is the largest in European waters and is accepted as 'internationally significant' by the Convention on Biological Diversity; further recognises that, while Scotland constitutes only 32% of UK land mass, it accounts for 54% of the UK's nature-specific protected areas; acknowledges

the Scottish Government's multi-annual commitment of £250 million to restore peatland and commends NatureScot for its contribution to restoration via PeatlandACTION; commends the work of Professor Werritty and the Grouse Moor Management Review Group, and expects the Scottish Government's response to this imminently, and notes the Scottish Government's commitment to protect the marine environment and support sustainable growth in fishing and fish farming while maintaining the right balance across Scotland's economic, environmental and social responsibilities.”

Liz Smith moved amendment S5M-23383.1—

As an amendment to motion S5M-23383 in the name of Mark Ruskell (Declaration of a Nature Emergency), leave out from “at least 30%” to end and insert “as much of Scotland's sea and land by 2030 as is achievable in relation to managed agricultural land use; acknowledges the good progress that has been made with controlled muirburn to increase carbon capture in peatlands and to enhance natural habitats, and calls on the Scottish Government to address the concerns raised in the 2018 Rural Economy and Connectivity Committee report regarding damaging practices in salmon farming and to work more closely with inshore fisheries groups to help preserve sensitive maritime areas.”

Claudia Beamish moved amendment S5M-23383.3—

As an amendment to motion S5M-23383 in the name of Mark Ruskell (Declaration of a Nature Emergency), leave out from “calls for an end” to end and insert “calls for an urgent and robust licensing scheme for driven grouse moor management, the phase out of large-scale peat extraction and addressing damaging fishing practices in sensitive marine environments; further calls on the Scottish Government to urgently address the concerns raised in the Rural Economy and Connectivity Committee's 2018 report, and letter from the Environment, Climate Change and Land Reform Committee, on salmon farming in Scotland; recognises the multiple benefits of a holistic approach to land use planning, through regional land use partnerships and more equitable forms of ownership; understands the need for nature skills development for now and the next generation of rural jobs; recognises the contributions of communities and individuals to improving biodiversity, and acknowledges the need for further support for these and local authority action.”

After debate, amendment S5M-23383.4 was agreed to ((DT) by division: For 85, Against 35, Abstentions 1). As a result, amendments S5M-23383.1 and S5M-23383.3 were pre-empted.

The motion as amended was then agreed to ((DT) by division: For 87, Against 33, Abstentions 2).

Accordingly, the Parliament resolved—That the Parliament notes with grave concern the catastrophic collapse in biodiversity globally and in Scotland, with one in nine species threatened with extinction from Scotland, and calls for the continued treatment of climate change and biodiversity loss on a twin-crises basis as set out in the Scottish Government's Environment Strategy; believes that restoring nature should be a central

component of recovery; welcomes therefore the Scottish Government's commitment to a green recovery that captures the opportunities of a just transition to net zero, creates good, green jobs and leaves no one behind; further welcomes the advice of the Just Transition Commission and others in this regard; recognises that 34% of Scotland's waters are already covered by MPAs, including the West of Scotland MPA, which is the largest in European waters and is accepted as 'internationally significant' by the Convention on Biological Diversity; further recognises that, while Scotland constitutes only 32% of UK land mass, it accounts for 54% of the UK's nature-specific protected areas; acknowledges the Scottish Government's multi-annual commitment of £250 million to restore peatland and commends NatureScot for its contribution to restoration via PeatlandACTION; commends the work of Professor Werritty and the Grouse Moor Management Review Group, and expects the Scottish Government's response to this imminently, and notes the Scottish Government's commitment to protect the marine environment and support sustainable growth in fishing and fish farming while maintaining the right balance across Scotland's economic, environmental and social responsibilities.

5. Business Programme: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-23403—That the Parliament agrees—

(a) the following programme of business—

Tuesday 24 November 2020

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Health and Sport Committee Debate: The Supply and Demand for Medicines

followed by Stage 3 Proceedings: Period Products (Free Provision) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

6.45 pm Decision Time

followed by Members' Business

Wednesday 25 November 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Economy, Fair Work and Culture; Education and Skills

followed by Ministerial Statement: Rollout of Testing Programme

followed by Scottish Conservative Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.40 pm Decision Time

followed by Members' Business

Thursday 26 November 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Health and Sport

followed by Scottish Government Debate: Making Scotland Equally Safe: Marking the Annual International Day for the Elimination of Violence Against Women

followed by Stage 1 Debate: Tied Pubs (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

6.00 pm Decision Time

Tuesday 1 December 2020

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Equalities and Human Rights Committee Debate: Valuing the Third Sector

followed by Public Petitions Committee Debate: Mental Health Support for Young People in Scotland

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

6.40 pm Decision Time

followed by Members' Business

Wednesday 2 December 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Communities and Local Government; Social Security and Older People

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.10 pm Decision Time

followed by Members' Business

Thursday 3 December 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Finance

followed by Stage 2 Proceedings: Scottish Parliament (Assistance for Political Parties) Bill

followed by Final Stage Proceedings: Solicitors in the Supreme Courts of Scotland (Amendment) Bill

followed by Stage 1 Debate: Heat Networks (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.05 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 23 November 2020, 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.

6. Stage 2 Timetable: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-23404—That the Parliament agrees that consideration of the Scottish Parliament (Assistance for Political Parties) Bill at stage 2 be completed by 11 December 2020.

The motion was agreed to.

7. Office of the Clerk: The Minister for Parliamentary Business and Veterans (Graeme Dey), on behalf of the Parliamentary Bureau, moved S5M-23405—That the Parliament agrees that the Office of the Clerk be closed on Tuesday 29, Wednesday 30 and Thursday 31 December 2020.

The motion was agreed to (DT).

8. Decision Time: The Parliament took decisions on items 3, 4, and 7 as noted above.

9. Pancreatic Cancer Awareness Month 2020: The Parliament debated S5M-22629 in the name of Clare Adamson—That the Parliament notes that November is Pancreatic Cancer Awareness Month and that 19 November 2020 is World Pancreatic Cancer Day; acknowledges that this condition is one of the most aggressive and least survivable forms of cancer, with a five-year survival rate of less than 8% in Scotland; understands that survival rates have remained almost static for the last 50 years; notes that it can affect anyone, but understands that it is subject to multiple inequalities, with different outcomes in relation to diagnosis and treatment and late stage presentation of the condition being more prevalent in older people, ethnic minorities and people living in the most deprived areas; commends all of the pancreatic cancer charities and their dedicated supporters for their tireless efforts to raise awareness of it, and wishes everyone involved with Awareness Month the very best in their endeavours.

The meeting closed at 6.26 pm.

David McGill
Clerk of the Parliament
18 November 2020

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

Subordinate Legislation

Affirmative Instruments

The following instruments were laid before the Parliament on 18 November 2020 and are subject to the affirmative procedure—

Feed (Transfer of Functions) (Miscellaneous Amendments) (Scotland) Regulations 2020 [draft]

laid under section 2(2) of the European Communities Act 1972

Common Agricultural Policy (Less Favoured Area Support) (EU Exit) (Scotland) Amendment Regulations 2020 [draft]

laid under paragraph 1(7) of Schedule 7 of the European Union (Withdrawal) Act 2018 and sections 2(3), 3(4) and 4(3) of the Agriculture (Retained EU Law and Data) (Scotland) Act 2020

Public Procurement etc. (EU Exit) (Scotland) (Amendment) Regulations 2020 [draft]

laid under section 22 and paragraph 1(6) of schedule 7 of the European Union (Withdrawal) Act 2018

Other Documents

The following documents were laid before the Parliament on 18 November 2020 and are not subject to parliamentary procedure—

David MacBrayne Limited Group Annual Report & Consolidated Financial Statements for the year ended 31 March 2020 SG/2020/225 laid under Section 8(1) of the Transport (Scotland) Act 1989

CalMac Ferries Limited Strategic Report, Directors' Report & Financial Statements for the year ended 31 March 2020 SG/2020/226 laid under Section 8(1) of the Transport (Scotland) Act 1989

David MacBrayne HR (UK) Limited Directors' Report & Financial Statements for the year ended 31 March 2020 SG/2020/227 laid under Section 8(1) of the Transport (Scotland) Act 1989

Argyll Ferries Limited Directors' Report & Financial Statements for the year ended 31 March 2020 SG/2020/228 laid under Section 8(1) of the Transport (Scotland) Act 1989

The Skills Development Scotland Co. Limited Annual Report and Financial Statements for the year ended 31 March 2020 SG/2020/254 laid under Section 22(5) of the Public Finance and Accountability (Scotland) Act 2000

Scottish Public Services Ombudsman: Compendium of Discontinued Investigations: Compendium of Case Reports for November 2020
SPSO/2020/10 laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

Care Inspectorate: Weekly Care Home deaths report – periods up to 15 November 2020 **SG/2020/257** laid under Section 79A(3) of the Public Services Reform (Scotland) Act 2010

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