



OFFICIAL REPORT
AITHISG OIFIGEIL

Meeting of the Parliament (Hybrid)

Wednesday 13 January 2021

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 13 January 2021

CONTENTS

	Col.
BUSINESS MOTION	1
<i>Motion moved—[Graeme Dey].</i>	
VACCINATION PLAN	2
<i>Statement—[Jeane Freeman].</i>	
The Cabinet Secretary for Health and Sport (Jeane Freeman)	2
COVID-19 EDUCATION UPDATE	17
<i>Statement—[John Swinney].</i>	
The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney).....	17
FIRST MINISTER’S QUESTION TIME	33
Covid-19 (Restrictions on Businesses).....	38
Covid-19 (Testing)	42
Polymerase Chain Reaction Tests	45
Self-isolation (Support)	47
Care Home Visiting.....	49
Vitamin D Supplements	50
Covid-19 Restrictions (Enforcement).....	51
Supermarkets (Covid-19 Protocols)	53
Sport Activity After Covid-19.....	54
Protect Scotland App.....	55
NHS Ayrshire and Arran (Capacity).....	55
Organ Transplant Patients (Covid-19 Vaccine).....	56
Safe Care Home Visiting	56
Seafood Exporters (Brexit)	58
Ministerial Code Investigation.....	58
British Gas (Employment Contracts).....	59
Click and Collect (Restrictions).....	59
Church Services (Restrictions).....	60
Respiratory Care Action Plan	60
Category 3 Key Workers	61
BUSINESS MOTIONS	63
<i>Motions moved—[Graeme Dey]—and agreed to.</i>	
PARLIAMENTARY BUREAU MOTION	65
<i>Motion moved—[Graeme Dey].</i>	
DECISION TIME	66

Scottish Parliament

Wednesday 13 January 2021

[The Deputy Presiding Officer opened the meeting at 11:00]

Business Motion

The Deputy Presiding Officer (Linda Fabiani): Good morning, everyone. Before we begin, I remind members that social distancing measures are in place in the chamber and across the Holyrood campus. Please take care to observe those measures over the course of today's business, including when entering and leaving the chamber.

The first item of business is consideration of business motion S5M-23848, in the name of Graeme Dey, which sets out changes to this week's business.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business on—

(a) Wednesday 13 January 2021—

delete

1.30 pm Decision Time

and insert

1.45 pm Decision Time

(b) Thursday 14 January 2021—

delete

2.00 pm Parliamentary Bureau Motions

2.00 pm Ministerial Statement (Virtual): Managing Scotland's Fisheries in the Future

2.30 pm Portfolio Questions:
Social Security and Older People;
Finance;
Environment, Climate Change and Land Reform

and insert

1.00 pm Parliamentary Bureau Motions

1.00 pm Ministerial Statement (Virtual): Managing Scotland's Fisheries in the Future

1.30 pm Portfolio Questions:
Social Security and Older People;
Finance;
Environment, Climate Change and Land Reform

delete

5.15 pm Decision Time

and insert

4.15 pm Decision Time—[Graeme Dey]

Motion agreed to.

Vaccination Plan

The Deputy Presiding Officer (Linda Fabiani): The next item of business is a statement by Jeane Freeman on the vaccination plan. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

11:01

The Cabinet Secretary for Health and Sport (Jeane Freeman): The most recent seven-day rate of Covid-19 cases is 262 per 100,000, with a test positivity rate of 10.1 per cent. Public Health Scotland figures that are to be released at noon are expected to show that the new variant of concern is increasing in its dominance. Members will recall that it increases the rate of infection by between 0.4 and 0.7, so we face a more perilous situation than we have faced at any point in this pandemic.

Although our national health service is hard pressed—yet again, we owe a huge debt of gratitude to our NHS and social care staff—we have more at our hand with which to fight the virus. In addition to a high level of compliance with restrictions and a significantly expanding testing programme with increased capacity and new technologies, we have the national vaccine programme, on which I will update Parliament today.

Between 8 December, when we began the national vaccination programme, and 12 January, we have given a first dose of vaccination to just over 80 per cent of care home residents, to 55 per cent of care home staff and to just under 52 per cent of front-line NHS and social care staff. In the eight days since 4 January, we have given a first dose to just over 2 per cent of those aged 80 or over who live in the community. The programme scales up rapidly from this week, and, by the first week in February, we will complete 100 per cent of the first-dose vaccinations for all those groups. Overall, a total of 191,965 people have received their first dose of the Covid vaccination, and 2,990 have received their second dose. All that data is based on the latest management information as of 8:30 am this morning.

We currently have supplies coming through of the two authorised vaccines—the Pfizer and Oxford-AstraZeneca vaccines. Our planning scales up delivery, so we will be able to vaccinate an average of around 400,000 people a week by the end of February. The Moderna vaccine is now the third vaccine to have been approved, and, as with the others, we will receive our population share of the supply that the United Kingdom Government Vaccines Taskforce secured on

behalf of the four UK nations. We currently expect the Moderna vaccine to be available to us from early April, and, as before, we will use it in line with the Joint Committee on Vaccines and Immunisation's advice.

As members know, the JCVI priority list, which includes those who are aged 50 and upwards, reflects the fact that age is the greatest risk factor for serious illness and death from Covid, and it represents more than 90 per cent of the preventable mortality from Covid-19 in Scotland.

To save lives, particularly in the face of such an infectious new strain, the priority is to vaccinate as many people as quickly as possible. With that in mind, and on review of the clinical trial data, the advice was given to prioritise first doses that provide a high level of protection, with evidence of a minimum 70 per cent effectiveness from 14 to 21 days after vaccination, and to deliver the second dose within 12 weeks from the first. Therefore, our planning has been realigned to do just that. The second dose remains important, as it lengthens the time for which immunity is present. Everyone will receive their second dose within 12 weeks of their first, and the second dose will be the same vaccine as the first.

As of today, we have a total Scottish vaccine allocation of 562,125 doses. Of that number, 365,000 doses have arrived in Scottish vaccination centres or are with health boards or general practitioners. A further 155,025 doses of the Pfizer vaccine and 42,100 doses of the Oxford-AstraZeneca vaccine are either in transit or in storage at Movianto UK for Scotland to access. This afternoon, I will publish our deployment plan, which sets out more detail. The plan will be updated as we go through the weeks ahead, and I will continue to update members on it. However, I will set out now some of the detail of the supply that we have to date and the plans that are under way for workforce and vaccine locations.

By the first week in February, all JCVI priority groups 1 and 2—residents in care homes for older adults, care home staff, front-line health and social care staff and those aged 80 and over who are living in the community—will have received their first vaccine dose. With the levels of vaccine stock that we currently have, and with the projected deliveries over the next few weeks, we will, beginning in February, vaccinate people aged 70 and over by mid-February and those aged over 65 and those who are clinically extremely vulnerable by the beginning of March. In all, that will cover JCVI priority groups 1 to 5, which means that a total of just over 1.4 million eligible individuals will have been vaccinated with the first dose.

The second-dose vaccination will run in parallel, starting from the end of February. Our current modelling of required supply indicates that we will

deliver around 400,000 vaccinations a week from the end of February. Over that period, we will use a range of different settings to deliver the vaccine, including care homes, for residents and staff; GP practices, health centres and local clinics, primarily for those aged 80 and over and for the clinically extremely vulnerable; and occupational health and vaccination centres for NHS and social care staff. For those who find it difficult to get to a local centre, we will take the vaccination to them in their home.

As we go through February and into March, more local vaccination sites will come on board, including community pharmacies, mobile vaccination clinics, small-scale mass vaccination centres and large vaccination centres that are capable of delivering in excess of 20,000 vaccinations a week in a single location. Some of those large sites have already been secured, such as the Aberdeen exhibition and conference centre, the Ravenscraig sports facility in Motherwell, Queen Margaret University in Musselburgh, and the Edinburgh International Conference Centre. Right now, the NHS Louisa Jordan is, among its other work, acting as a vaccination centre, but rapid work is under way to secure more sites across the Greater Glasgow and Clyde area. In the weeks ahead, I will provide members and the public with updates to the location map that appears in the deployment plan that I will publish today.

As larger numbers of people for whom local travel is easier become eligible, the centres are initially planning an 8 am to 8 pm opening, but we can extend those hours if that proves more convenient for people. We currently have a team of around 33 military personnel supporting our programme, and I am pleased that we have now finalised plans to increase that support to our larger centres in order to provide fast and assured site preparation and ensure that the facilities are in place for our mass vaccination centres.

Critical to all of that is the workforce—both vaccinators and support staff. The plan to vaccinate 400,000 people a week requires a daily workforce capacity of approximately 1,700 whole-time equivalent vaccinators and 950 WTE support staff. To achieve that level, we need a head count of 3,400 vaccinators, depending on the proportion of part-time and full-time staff. We currently have just under 5,500 individual vaccinators registered, not including all participating GPs. In addition to local health board training, over 4,000 people have taken part in national training to administer the Pfizer vaccine, and 4,700 have received training on the Oxford-AstraZeneca vaccine.

We continue to build additional capacity, bringing on board more community healthcare practitioners including pharmacists, dentists and

optometrists. We receive daily offers of help, which we can now route through our national facility to place people close to where they live and to secure the additional training that they need.

We are working with the voluntary and community sector to set up a centralised volunteer co-ordination hub for deployment at mass vaccination centres, making good use of the support that is offered locally. A number of local and national organisations and businesses have offered to be involved. Our national contact facility will receive those offers from now on and will ensure that each is considered carefully and used where possible. I am very grateful to the many individuals, business and organisations who have stepped forward so far in that way.

Perhaps the most important thing that people want to know is when it will be their turn to be vaccinated and how they will be informed. I have given an indication, in what I have set out so far, of when they will be vaccinated, supplies allowing, and that information is set out in slightly more detail in the deployment plan. If somebody is in one of the first two priority groups, their employer, health board or local GP will contact them. If they are in one of the other groups, they will be contacted by letter or phone. If people cannot make the date or time that they are given, they can rearrange the appointment by phone or online.

We have already delivered information to every household in Scotland, and, from 21 January, a national marketing campaign will kick off. In addition, we will put out local information through local press and radio. We will, of course, continue to use national print and broadcast media to inform the wider public.

Members and the public can monitor our progress daily and weekly. Every weekday, daily updates are published by the Scottish Government on its website, providing the latest cumulative data on the number of people who have received their vaccination. From today, weekly updates will be published by Public Health Scotland, providing a more detailed breakdown of vaccinations by priority groups and geography.

As we have done up to now, I will continue to keep members informed through regular letters and detailed information and by responding as quickly as I can to specific questions. I am grateful to members for their participation in the briefing that we held on 4 January, and I am happy to repeat that if it would be helpful.

I take the opportunity to recognise the many national health service staff, Scottish Government officials, armed forces personnel, local authority colleagues and third sector partners who have worked—and continue to work—so hard to get us to this stage. I also recognise the many people

involved at every stage, from vaccine production to procurement to delivery, as well as all those who are coming forward to volunteer their help. The programme to vaccinate 4.45 million adults in Scotland is a national effort, and each one of those people is playing a vital part in that. They have my grateful thanks.

The vaccine offers us hope, and, as we vaccinate more and more of our fellow citizens, that hope becomes more real. However, on its own, it will not be enough to win the race against the virus. Each one of us needs to do all that we can—following the guidance, abiding closely to the restrictions, washing our hands, wearing face coverings and maintaining a 2m distance from one other—to slow down the spread of the virus and to suppress its prevalence as low as we can, so that increasing vaccination can do the job that we need it to do. Doing all of that will protect us, protect the NHS and save lives.

The Deputy Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. We will allow around 30 minutes for that. It would be helpful if members would press their request-to-speak buttons if they wish to ask a question. I ask members to bear in mind that many members wish to speak, so please be succinct.

Donald Cameron (Highlands and Islands) (Con): I thank the cabinet secretary for advance sight of her statement and offer my thanks to all those who are involved in this massive national programme.

It is welcome that more than 190,000 people have received their first dose of the Covid-19 vaccine and that some people are receiving their second dose. However, it is clear from the figures that not enough people are being vaccinated each day and that timetables are slipping. It is particularly worrying that, so far, we have vaccinated just half of our front-line NHS and social care workforce, who are so critical to Scotland overcoming the pandemic. With that in mind, and given the indication earlier in the week from the Cabinet Secretary for Health and Sport and the First Minister that all four priority groups would be vaccinated by mid-February, I ask why today's statement leaves out clinically vulnerable people.

Secondly, a recent email to GPs in NHS Lothian indicated that there would be delays to the national booking system, which may in turn delay the launch of vaccination at large centres by two weeks. I ask the health secretary for an update on that booking system.

Jeane Freeman: I do not believe that timetables are slipping. What I have set out in my statement concurs exactly with what we have said before.

We started with the people who the JCVI's advice said were most clinically vulnerable—that is, our elderly residents in care homes. Inevitably, vaccinating older people in that setting takes longer than it will take a mass vaccination centre to vaccinate 50 or 60-year-olds, or even people as old as me. We have done what the JCVI says. We are on track to complete vaccination of all those in priority groups 1 and 2—all NHS staff and front-line social care staff, as well as all people aged 80 and over who live in the community and care home residents and staff—by the end of this month. In my book, that is not a slipping timetable at all.

On the delay to the national booking system, I believe that the email that Donald Cameron referred to was issued by the local health and social care partnership and that it has now corrected it, because the information that it gave was entirely wrong. The national booking system is not delayed. It will be ready. It is being tested towards the end of this week and at the beginning of next to make sure that it is absolutely ready and capable of taking the volume of work that it needs to take. It will be ready from the end of January or beginning of February to do its job.

The system's job will be the high-volume throughput of people in the younger age groups to make sure that we can get them booked into the site that is most convenient for them. For some, that will be their local vaccination clinic; for others, the mobile vaccination units will be most appropriate; and, for yet others, it will be either the mini vaccination sites or the mass vaccination sites. People will be able to change their booking if the time and date that is given to them is not convenient.

All of that is on track and by the end of February into early March we will have completed first-dose vaccination of JCVI priority groups 1 to 5 and will begin second-dose vaccination, which will run in parallel.

Monica Lennon (Central Scotland) (Lab): I thank the cabinet secretary for advance sight of the statement. On behalf of Scottish Labour, I put on record our thanks to everyone involved in the programme to get Scotland vaccinated.

How quickly can we move to a 24/7 roll-out, and how many additional vaccinator and support staff would be needed in order to implement that across Scotland? People are waiting patiently for the post to arrive, so when will people over 70 will start to be invited? How will disabled and older adults who live in their own home and who need the vaccine to be brought to them be identified? Will everyone who needs at-home vaccination be guaranteed that?

Finally, I make a point on behalf of Scotland's home carers, who feel that they have been at the end of the queue for personal protective equipment, testing and now the vaccine. I have dozens of examples from Lanarkshire of home carers getting up as early as 4 am to go online to try to book appointments, only to find that the slots have gone very quickly. NHS staff have also been waiting patiently and going on to the website repeatedly throughout the day. What more can the cabinet secretary say to those workers, who are getting a bit frustrated about the booking system? What confidence can she give them that they will get their appointments very soon?

Jeane Freeman: There are a number of questions in there—I will do my best.

The member asked how quickly we can go to 24 hours. We can do that once we have the mass vaccination sites open and running. Obviously, a 24-hour service is not possible in a GP practice or a community pharmacy. It is perhaps possible in local clinics, but it is certainly entirely possible at the mass vaccination sites. Many of those sites are secured already and I would anticipate that, as we move towards using them for the volume of people and the groups who we want to put through those sites and for whom that is convenient, that would be the end of February and early March. I can confirm the dates to Ms Lennon properly after this question session. If it is going to work for the volume of people, a 24-hour service is the right way to go. There is no will not to do that; the will is to do that if that is what it takes, because the objective is to get as many people vaccinated as possible.

As for the numbers and the figure of 400,000 vaccinations a week, that takes me to the modelling and to the numbers that I set out in the statement. The rate will be up to that number, depending on the mix of part-time and full-time staff, but we should remember that people are continuing to come forward to register as vaccinators, and the numbers are growing. We currently have enough, even at 400,000 vaccinations a week, but more people are coming forward, so I am confident that we will be able to cope. I should also mention the armed services and the volunteer hub that we are setting up, as well as the support staff.

The over-70s should start to hear something towards the end of this month and through into February, remembering that we are aiming to offer them their first appointment for vaccination by the middle of February.

For those who are at home, the identification of people who are housebound or are unable easily to get to a local vaccination centre or to their primary care practice will be done primarily by those at the primary care practice, who will know

their patients—the patients whom district or community nurses visit, for example—and they will undertake that vaccination. It should absolutely be guaranteed that, if people need to be vaccinated at home, they will be vaccinated at home.

On the point about home carers and NHS staff, it should be the employers who contact people to ensure that they are being given appointments. Often, those appointments are in occupational health settings or in the larger vaccination sites—which were among the first things that we set up—but I am happy to take that point away and consider whether there are particular issues around the overall number of people we still have to vaccinate that we need to resolve. Home carers are harder to reach, in that they do not have a single employer, but I will happily take that point away and get back to Ms Lennon on what more we think we can do.

The Deputy Presiding Officer: There are quite a few open questions. We will get through them all if we can bear in mind how many there are.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): In her long list of questions, Monica Lennon pre-empted one of mine, but I will still pursue the point.

Home vaccinations are of particular relevance in constituencies such as mine—in Midlothian and the Borders—where we have remote and isolated communities, with people living on farms and so on. I note what the cabinet secretary said about GPs and district nurses identifying people, but what if they have not been identified? At what point after they have received their appointment letter do they contact the practice or whatever? Some people may get missed out, and they will be most concerned.

Jeane Freeman: Home vaccinations are there for people for whom it is very difficult to leave home, because of mobility or health issues or, in some instances, because they are elderly and frail. For constituencies such as Ms Grahame's—and indeed for parts of my own constituency—mobile vaccination clinics will be part of the answer in taking vaccination closer to where people are.

As for people wondering what to do if they have not heard in time, there are two things that they can do. First, they can contact the central email address that is mentioned in the deployment plan or phone the national helpline. In addition, they can contact staff at their local general practice and ask when they should expect to hear from them. That is what is happening just now for those over 80 who are worrying about when they are going to hear something, and those other routes are there for other people, too.

Brian Whittle (South Scotland) (Con): Is there any flexibility in the way in which the vaccines are rolled out? I am thinking specifically about the difference between rural and urban areas. For example, somebody in their early 70s with a spouse in their late 60s would require to make two journeys. In a small rural community, could the bands of people being vaccinated perhaps be extended? That speaks to efficiency, and there is a certain logic to it.

Jeane Freeman: The primary purpose—as Mr Whittle knows, but it is worth repeating—is to vaccinate as many people who are clinically at most risk of serious illness or death as possible; they are the first priority, which is why JCVI advice is to go through the age cohorts, from the elderly right down to people aged 50 and over. We need to hold as true to that as we can.

However, we have had initial discussions with boards such as NHS Highland, which made the point, quite rightly, that to send a team to a particular part of its area to do one cohort only to bring those people back and send them out again to do the next age group seems a bit of a waste of resource and time. In those instances, through discussions with us, board by board, we are likely to accord a degree of flexibility and say that if a team is going to village X it can do everyone over 60, for example, in one go, because that will be quicker. However, we need to get the balance right, because we must always be confident that we are prioritising the delivery of the first dose to the people who are clinically most at risk from the virus.

Fulton MacGregor (Coatbridge and Chryston) (SNP): The JCVI list rightly sets out that front-line healthcare staff are a high priority for vaccination. What advice can the cabinet secretary offer to staff who support essential front-line NHS activity, for example through specialist work with vital equipment, but who are not themselves NHS staff? As a courtesy, I let the cabinet secretary know that I am writing to her on behalf of a constituent who falls into that category: they are a kidney dialysis technician who regularly works on Covid and intensive care wards in Scotland.

Jeane Freeman: There is a thing called the green book, which sets out in much more detail what is meant by each priority group. The green book is used to train vaccinators and sets out who is covered by priority 1 or 2, for example. I will read a brief extract from it, because Mr MacGregor's question is important. The green book refers to

“staff who have frequent face-to-face clinical contact with patients and who are directly involved in patient care in either secondary or primary care/community settings.”

It goes on to list a wide range of professions and activities, which includes associated support staff, independent contractors and people who work in public, private, third sector

“and non-standard healthcare settings such as hospices, and community-based mental health or addiction services.”

I will give Mr MacGregor that information in full and I will also include it in the letter that we issue to MSPs and MPs this afternoon, along with the deployment plan, so that people can see that the definition is wide. Indeed, the green book also says:

“Temporary staff, including those working in the COVID-19 vaccination programme, students, trainees and volunteers”—

agency and bank—

“who are working with patients must also be included.”

Jackie Baillie (Dumbarton) (Lab): The vaccine roll-out is welcome, but, as experts tell us, it needs to sit alongside a robust test and trace system. Scotland is testing the least number of people per head of population of any of the four UK nations. Capacity is 65,000 but the average testing is about a third of that number and when we compare the first week of January with the first week of December, we find an increase in positive cases of 184 per cent but an increase of only 7 per cent in testing. Testing has not been ramped up.

In addition, contact tracing is still relying heavily on text messages. Does the cabinet secretary believe that that is good enough to help to contain the virus?

Jeane Freeman: I will make a couple of points on that. If the overall thrust of Ms Baillie’s question is drawn from what the Rt Hon Gordon Brown said yesterday, I think that we dealt with that at the briefing; by and large, it is statistically not credible.

However, there are other points in what she said that I want to address. The numbers that she quoted referred to polymerase chain reaction tests and not tests that are conducted through lateral flow devices; we are working to make sure that those numbers come through, too. It is primarily lateral flow devices, backed by PCR testing, that are the central component of the increase in asymptomatic testing in care homes and communities. In the next couple of weeks, we will introduce a further expansion to our testing of asymptomatic people in the community, based on the clinical advice that I receive, to enable us to use that approach to track down further positive cases.

It is undoubtedly true that the numbers of PCR tests that Ms Baillie has quoted are not using the full capacity of either the Lighthouse lab in Glasgow, of which we have a population share, or the increased NHS PCR processing capacity. That

is largely person driven: people who feel that they have symptoms book tests; they drive the use of those labs. However, the use of NHS labs will increase as we finish off moving all care home PCR weekly testing to those labs.

Part of what we will introduce will result from a review that we are doing now, of how much more we can proactively use PCR processing and tests—that is both PCR testing and asymptomatic testing—to help us chase down more of the virus in particular areas. That is, either whether the numbers are stubbornly high—as we were doing before Christmas—or where we believe that there is inevitable close contact, such as around particular employers where we want to be able to keep testing to help them to be sure that their workplaces are as safe as they can be.

The Deputy Presiding Officer: I am concerned that we will not get through all the questions, so I ask the cabinet secretary to try to give shorter answers, please.

Joan McAlpine (South Scotland) (SNP): The JCVI’s advice on vaccination priorities says that the clinically extremely vulnerable group of younger adults will be vaccinated as part of group 4, at the same time as the over-70s. Last year, the green book’s section on Covid was updated to include a number of conditions affecting those in the clinically extremely vulnerable group who had not previously been on the shielded list—for example, adults with Down’s syndrome, for whom the mortality rate from Covid is six times higher than that for the general population. Will the cabinet secretary confirm that everyone who is listed in the green book as being clinically extremely vulnerable will be vaccinated in group 4, at the same time as the over-70s, as the JCVI has recommended? How confident is she that all such individuals have been identified?

Jeane Freeman: Those are important questions. On whether I am confident that all such individuals have been identified, I point out that our chief nursing officer and chief medical officer are working right now to ensure that we can find a number of ways to do so and to cross-check our information to ensure that we will have found everyone who fits into that group. That should also enable individuals who feel that they have been missed out to have a really quick route towards having that situation resolved. We will make that system clear to members and to the wider public as soon as it has been completed, which I hope will be very soon.

We have made it clear that people who are on the list of those considered to be clinically extremely vulnerable will be vaccinated within the timeframe that Ms McAlpine mentioned. As I am sure that she will appreciate, some of those individuals will fall into more than one category, so

the overall numbers that we are working with and that are shown in the deployment plan are estimated numbers.

Alex Cole-Hamilton (Edinburgh Western) (LD): Scotland's stockpile of nearly 200,000 doses of vaccine is currently in storage at Movianto, which, for the benefit of members, is located in Bedford. GP surgeries across Scotland have been given small batches of vaccine to distribute, and they have been told that it will be several weeks before they will be given more. A dose of vaccine in a freezer 300 miles away is of no value to a vulnerable Scot who is awaiting immunity. Will the cabinet secretary say why the stockpile is not yet in circulation?

Jeane Freeman: Movianto is the distributor of the vaccine. It brings it from Haydock, and then through various safety checks, to us in Scotland. From our vaccination centres, which were mentioned earlier, batches are then distributed round the various parts of the country, including to the islands. The vaccination doses are distributed on the basis of what each NHS board or GP practice orders and says that it will need for any given week. In the case of distribution of the Pfizer vaccine, there are particular challenges. We are not stockpiling vaccines or holding them back from vaccinators who are ready to go but cannot do anything because they do not yet have doses. To suggest or imply that is quite wrong.

The vaccination doses go out as quickly as we get them to all the places that are currently vaccinating, whether that is to teams of NHS staff in care homes and vaccination centres or, from last week—but ramping up this week and through January—through our GP practices and our local clinics, to get to that over-80 age group.

Mark Ruskell (Mid Scotland and Fife) (Green): On 4 January, the First Minister said that the Government was considering how to prioritise the vaccination of school and childcare staff. Vaccinating those staff after front-line health personnel and high-risk populations could be an important part of any plan to safely and fully reopen schools; it would also be in line with World Health Organization advice. Can the cabinet secretary confirm—[Inaudible.]—and when she will announce plans?

The Deputy Presiding Officer: Did you catch the end of that, cabinet secretary?

Jeane Freeman: No.

The Deputy Presiding Officer: Mr Ruskell, would it be possible for you to succinctly repeat the question?

Mark Ruskell: The whole question?

The Deputy Presiding Officer: No, just the last bit.

Mark Ruskell: I am looking for an update from the cabinet secretary about the plans that were committed to on 4 January to vaccinate teachers and childcare staff.

The Deputy Presiding Officer: Thank you, Mr Ruskell.

Jeane Freeman: The First Minister did not commit to plans to vaccinate teachers and childcare staff. What she said—I am paraphrasing here, so forgive me if I do not quote exactly what she said—was that she understood the concerns and that it was a matter that would continue to be considered.

The fact of the matter is that the JCVI advice is crystal clear in saying that the virus is most serious for those who are older—age is the highest risk factor. If we vaccinate JCVI priority groups as it has listed them, we will prevent well over 90 per cent of the associated mortality and morbidity in Scotland. If we take any quantum from that group for another group, we will be delaying the vaccination of a group of older adults whom we have been told to vaccinate because they are most at risk, because we will have put the vaccination doses somewhere else.

There will undoubtedly be a number of people in the teaching profession, working in schools and in nurseries, who will be covered by those JCVI priority groups. Therefore, they will be vaccinated in the timeframe that we have set out.

As the JCVI looks beyond its first set of priorities—that is, to those aged over 50 and upwards—to what we do thereafter, from the spring onwards, it is considering but has not yet determined whether there are any occupations or other characteristics, for example black, Asian and minority ethnic groups or other groups, that we should prioritise within the cohort of those aged 50 to 80. Once it has given us that advice, we will look at that.

We will continue to consider what more we can do to provide assurance to a number of individuals in particular professional and work circumstances, where they have concerns about their vulnerability in that regard.

Annabelle Ewing (Cowdenbeath) (SNP): With a view to providing reassurance to home care workers in my Cowdenbeath constituency, can the cabinet secretary confirm that those providing social care outwith a home care setting will indeed have priority access to the vaccine, and can the cabinet secretary indicate when all those home care workers across Fife and indeed across Scotland may expect to be vaccinated?

Jeane Freeman: On the latter point, I have said that we will vaccinate those priority 1 and 2 groups with the first dose. We will have completed that by

the end of January. That covers the individuals that Ms Ewing is thinking about. I am sure that the Fife NHS Board would be happy to provide Ms Ewing with the details of the particular arrangements and circumstances in Fife. I can certainly provide her with those details too, and I am happy to make sure that we send that information to her.

With regard to social care workers outwith a home care setting, I think that I know the kind of settings that Ms Ewing is referring to. Where they are client facing and provide direct and often very personal care, including personal assistance, to individuals, they are in that priority group, as I have described. If, as I suspect, the green book gives the same kind of definition as it does for NHS or front-line healthcare workers, I will make sure that Ms Ewing has sight of that, too.

Annie Wells (Glasgow) (Con): Delivering the vaccine quickly and efficiently is of paramount importance, and companies across Glasgow—including Asda, BrewDog and Rangers Football Club—have offered to play a part in storing and distributing the vaccine. What action has the cabinet secretary taken to work with organisations across civic society that could play a vital part in assisting with that significant challenge?

Jeane Freeman: Many organisations and individuals have offered support in various ways. We have set up a central contact email address—offersofsupport.vaccine@gov.scot—to channel all those offers. Whoever is making the offer has a conversation with us and, if we believe that it can be useful, we pass that on to a health board, elsewhere in our central team or, in some instances, to our colleagues in the armed forces or local authorities to pursue and take up. From now on, that is how we will take forward all those offers of support.

The Deputy Presiding Officer: We are rapidly running out of time.

Anas Sarwar (Glasgow) (Lab): It is clear that the vaccine is the way out of the crisis and I support the ambition of 400,000 vaccines a week, but that requires a national effort and mobilisation. What plans does the Government have to engage not just NHS staff and the British Army, but a volunteer army? How do we use, for example, football stadiums, community centres and hubs as mass vaccination centres?

Jeane Freeman: As I said in the statement, we are setting up a centralised volunteer co-ordination hub. With the help of local and national networks, we are working with a number of organisations to co-ordinate that volunteer workforce to do exactly what Mr Sarwar says. Again, those offers of assistance to host a mini or mass vaccination site are being processed but we are also actively

looking for sites in addition to the mass sites that I set out in my statement.

Miles Briggs (Lothian) (Con): It has been more than six weeks since I raised the case of Fred Banning with the First Minister, and I welcome the fact that she has now agreed to meet him. What progress has been made in developing a pathway for terminally ill patients, who are desperate to be vaccinated at the earliest opportunity?

Jeane Freeman: Mr Briggs is correct; the First Minister will meet Mr Banning later this week. As I said I would, I wrote to the JCVI; my colleague Mr Hancock has done the same, as have colleagues in Wales and Northern Ireland. We have yet to hear back and we will get in touch with the JCVI later this week to see whether it is any closer to giving us advice. In the meantime, I have asked our chief medical officer and his team to consider their view on that matter, so that we can get a resolution to that as quickly as possible.

Ruth Maguire (Cunninghame South) (SNP): What steps are being taken to ensure that those with communication challenges and folk whose first language is not English do not face inequalities in vaccine access?

Jeane Freeman: That is a really important point; I cannot get the phrase right, but Ms Maguire will know what I mean by the standard communication framework. All the necessary steps about how we communicate, in written terms and by other means, are being incorporated and, in central Government, colleagues are discussing with interpreters of British Sign Language and other languages how we might progress that. I have recently had a letter from a group of interpreters, who are offering their support to help us make sure that we communicate and make the programme as accessible as possible, not just physically, so that we do not miss people out because they cannot access a vaccination centre or understand what we are offering.

The Deputy Presiding Officer: That concludes questions on the ministerial statement on the vaccination plans. I am sorry that I was unable to take questions from Rona Mackay and Sarah Boyack. We will shortly move on to the next item of business.

Covid-19 Education Update

The Deputy Presiding Officer (Christine Grahame): The next item of business is a statement by John Swinney, who will provide a Covid-19 update on schools and remote learning arrangements. The cabinet secretary will take questions at the end of his statement, so there should be no interventions or interruptions.

11:46

The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney): Scottish education is today focused on ensuring that our children receive the high-quality learning to which they are entitled despite the current challenging circumstances. In my statement, I will set out what remote learning means for young people, teachers and parents, what our young people are entitled to expect, and the measures that are being put in place to make sure that they receive that support.

As we consider the educational provision that is available, it is vital that we acknowledge the importance of ensuring that our children's health and wellbeing is supported during the pandemic. That has been a fundamental priority of the education system since schools returned in August, and it will remain a fundamental priority during this period of remote learning. Children can learn well only if they feel well.

At the outset, I reiterate my firm view that the best place for young people to learn is in school. We are doing everything that we can to allow them to return safely as soon as possible but, in the meantime, their learning must be sustained and as rich and rewarding as possible.

Remote learning is learning that is directed by teachers and undertaken by young people who are not physically with the teacher while instruction is taking place. Remote learning will not replicate in-school teaching in style, approach or hours of delivery, but what constituted high-quality learning, teaching and assessment prior to the pandemic is what constitutes high-quality learning, teaching and assessment now. It remains the responsibility of Scotland's dedicated teaching professionals to plan, organise and deliver that learning. I know that our teachers are deploying their professional skills and are rising to the challenges that have been posed by the current situation.

Remote learning involves a combination of live interactions between teachers and learners, and learning that takes place away from the direct presence of the teacher. Online learning is important, but it is not the only aspect. Education Scotland has published guidance explaining the definition and principles that govern remote

learning, together with clarity on what young people and their families are entitled to expect while it is not possible for all pupils to be in school.

Remote learning activities will offer pupils opportunities to develop and progress, to be assessed and receive feedback, to engage with age and stage-appropriate activities and to receive opportunities that account for additional needs, disadvantage or vulnerability. Good communication between home and school is fundamental to ensuring a shared understanding of the approach and of everyone's responsibilities.

Young people should have access to appropriate physical resources where needed—examples might include learning materials or digital devices. They are entitled to access high-quality, interactive remote learning and teaching using technology or other methods, with an appropriate balance of live learning and independent activity, and on-going dialogue with teachers. The available support includes access to online resources to aid interaction, assessment and feedback. Each learner is entitled to a daily check-in that is appropriate to age, stage and need, and they will have regular opportunities for engagement with other pupils.

All of that must, as ever, be underpinned by due regard for young people's wellbeing and safeguarding. It is right that schools and teachers make the appropriate decisions for the young people they know while delivering the entitlements that are set out in guidance to ensure that everyone receives a consistently high-quality experience.

I will now outline the resources that have been developed for remote learning and teaching. We have significantly enhanced the national e-learning offer by growing the provision for live remote learning, recorded lessons and supported learning.

The expanded offer includes e-Sgoil, which currently encompasses 27 courses ranging from national 5 to advanced higher, including live webinar lessons for advanced higher pupils. It includes a bank of online recorded lessons and 14,000 items of supported online learning and teaching materials, including resources for teachers to use in planning and delivery.

Access to that work is made possible for learners across Scotland through the Glow platform—our national online learning environment. Indeed, our commitment to Glow over many years demonstrates Scotland's long recognition that digital technology can enhance learning and teaching. Other parts of the United Kingdom have sought to learn from our experiences in the field of online learning. Through their local authority Glow login, every learner and

teacher in Scotland has access to a comprehensive range of digital tools, including Microsoft Office 365 and Google Classroom.

I can confirm that the problems that were experienced by some schools with Microsoft Teams on Monday have been resolved by Microsoft and the service is now operating as expected. Those problems were not related to Glow; they were experienced by Microsoft users across the UK and parts of Europe. We continue to work with Microsoft to keep the service under constant review.

In November 2020, more than 420,000 users logged on to Glow more than 7.6 million times, compared with approximately 260,000 users logging on to the platform around 3.7 million times during the same month in 2019.

After the last period of school building closures, we commissioned an equity audit, which was published today, to better understand the impact on children's learning, health and wellbeing, particularly those experiencing disadvantage. The equity audit provides important evidence to help us target mitigations effectively during this period of remote learning.

We have taken action to ensure that disadvantaged children and young people have access to the devices and connectivity that are needed to engage in education. The £25 million that was provided in the summer will deliver well over 70,000 devices for learners across Scotland. By the end of December 2020, almost 59,000 devices had been distributed and connectivity had been provided to more than 10,000 learners, with more dispatched since then.

In many households, families will not have a dedicated device for each learner. To ensure that families have flexibility, Glow can already be accessed on digital devices with modern browsers, and many elements can be accessed on consoles such as Xbox or PlayStation.

The BBC Scotland television channel is providing content that is benchmarked to Scotland's curriculum starting this week. Education Scotland and the BBC are working to make it easy for teachers, learners and parents to navigate what is available and understand how it aligns with wider learning.

For all learners—particularly the very youngest children—some of the best learning already takes place through play in the home with parents or carers. I am mindful that working parents of very young children are finding it particularly difficult to balance childcare and work at the moment. Resources are available via the Parent Club website to support parents in engaging children of all ages in meaningful activities.

Teachers need support to feel confident that they can do the best for their students, and Education Scotland continues to provide a range of professional learning on digital learning and teaching via the digilearn.scot website.

I am conscious of the impact that the move to home learning will have for learners who are studying for national qualifications. On 8 December, I confirmed the cancellation of higher and advanced higher exams in addition to national 5 exams. I also confirmed that an alternative model for certification that was based on learner evidence and subject to quality assurance would be developed to deliver credible and fair results.

Communications were issued yesterday by the national qualifications 2021 group that set out the priorities that schools and learners should focus on now—essentially, learning and teaching—while consideration is given to the implications of the move to remote learning and the length of time the arrangements will be in place for the new assessment model. I discussed that with the chief examining officer yesterday, and the education recovery group will consider it in more detail tomorrow.

Everything that I have set out on principles and entitlements is published online for all to refer to. We have worked with the General Teaching Council for Scotland to write to every registered teacher to make certain that everyone who delivers education is clear about our remote learning expectations and the resources that are available. Last Friday, I spoke with around 800 headteachers to discuss our expectations, and I will continue to engage directly with teachers as we deliver remote learning.

I know that schools are already doing their utmost for their pupils. They have responsibility for the quality of the education that they provide and for ensuring continuous improvement. They will improve their offers and reflect on their experiences and on the feedback from parents and learners.

Local authorities have statutory responsibility for ensuring the quality of education that is provided by their schools, including remote learning. That is emphasised in the educational continuity direction that was issued on Friday, which states:

“Each education authority is required to provide education by way of remote learning to pupils who normally attend schools ... under the management of the education authority from 11 to 29 January 2021.”

Education Scotland has already gathered evidence on our system's readiness for remote learning, including by reviewing local authority plans for blended learning in the summer.

I can announce today that the quality and effectiveness of remote learning across the

country will be reviewed by Her Majesty's inspectors of education. A programme of national overviews will commence immediately and will last for the duration of remote learning. They will evaluate what is working well and where further improvement is required, based on information that is collected from varied sources, including engagement with schools and local authorities. This week, Her Majesty's inspectors of education are evaluating the first focus area, which is local authority planning and guidance on remote learning. Those overviews will be published weekly, and the first report will be published on Friday 22 January.

Schools are, rightly, deeply focused on delivering quality remote education now. We will make sure that those reviews do not distract or burden them while providing important assurance to parents and ensuring further improvement in the remote learning offer where needed.

I appreciate only too well the additional burden that home learning is placing on many of our children and their families, and I know that the best place for our children is in their schools, with their teachers and their friends. Schools remain open for the most vulnerable children, as identified by teachers. For children of key workers who have no viable alternatives, schools are open on an exceptional basis. However, to ensure that we reduce the interactions around schools and therefore contribute to the of the virus, we have to keep the numbers of key worker children to the absolute minimum required. We need employers to support employees in taking up in-school learning only where there is no alternative, only on the days on which they need it and for the minimum amount of time.

More childcare options exist during this lockdown. Childminders remain open, and informal childcare is an option for some families. We have set out three categories of key workers to support local authorities in keeping numbers to a minimum. I am aware that remaining open for very small numbers of children creates pressure for some childcare providers. I can therefore confirm that we will make available temporary financial support of up to £3.8 million for each four-week period of restrictions to providers of day care of children that are open during the restrictions. We will confirm those details shortly, and we are considering further support to childminders.

Against that background, I know that many families are struggling and that we need to make sure that they get the support that they need. I can also announce today a package of £45 million of new funding to allow local authorities to deploy more support to their schools and families. The money will allow local authorities to prioritise the purchase of additional devices for children who

still need them, recruit additional staff and provide support to parents and families to engage with home learning. That responds to the First Minister's commitment to members last week. Local authorities will have flexibility to use their allocation within parameters, including those elements. That money is additional to the £160 million that I have already committed for education recovery since the start of the pandemic.

The funding is sufficient in principle to support the recruitment of an additional 2,000 teaching staff up until the end of the financial year. However, local authorities have the option to use it for other vital staffing needs, including classroom assistants, administrative staff to support contact tracing, and facilities management staff. Since the start of the pandemic, our additional funding has led to an additional 1,400 teachers and more than 200 support staff being appointed.

My messages to learners, teachers and parents are as follows. My message to learners, for whom this school year is like no other, is that we will ensure that you receive the support that you need just now. I am committed to keeping the voice of young people central, as we navigate the current challenges, through the Scottish Youth Parliament and our new youth education recovery group.

My message to teachers is that I am deeply grateful for the work that you have done to make remote learning work. Please to access the advice, support and professional learning options through Education Scotland, your regional improvement collaborative, your local authority and your school.

My message to parents is to reiterate that you are not expected to be teachers. Your child's school is here for you now and will be here for you when schools return.

I do not want the current situation to continue any longer than it must in order to allow us to arrest the spread of this terrible virus. We have committed to a fortnightly review process, with the aim of maximising the numbers receiving in-person learning, provided that it is safe to do so. The Cabinet will consider the output from that first review on Tuesday and we will communicate our decision thereafter.

As the First Minister has made clear, this is not a simple choice between opening and closing schools; if the evidence tells us that we can get some pupils back safely, we will maximise the numbers who are able to benefit. We will ensure that all appropriate mitigations are in place to support a safe return, which includes exploring the role that enhanced testing of school staff could play. Pilots of two different models—one using in-school testing with lateral flow devices and another involving at-home testing using

polymerase chain reaction tests—are planned to begin in a number of schools from next week.

While this situation lasts, I am determined to ensure that we deliver remote learning well across all local authorities and schools. I am also determined to make sure that the interventions that we put in place are positive additions to the education system of the future, as remote learning offers opportunities like the chance to diversify subject choices, support rural communities and provide a robust offer for children whose schooling has been interrupted.

The virus will be beaten and schools will return fully to intensify our efforts to achieve excellence and equity for all of Scotland's children.

The Deputy Presiding Officer: Thank you. The cabinet secretary will now take questions on his statement. We must conclude around 12.30 for First Minister's question time, so I ask members for succinct questions.

Jamie Greene (West Scotland) (Con): I thank the cabinet secretary for advance sight of his statement.

Conservative members, too, thank everyone in education who is delivering learning and childcare in these difficult circumstances. The move to remote learning has added to the pressures on teachers, on working parents and, more important, on young people. The move has been the Government's contingency plan—its plan B—for quite some time, so why, 10 months into the pandemic, are there still so many uncertainties, such as about why access to meaningful remote learning has become a postcode lottery and whether teachers are supposed to give live lessons? In addition, many questions still remain about this year's qualifications model.

I therefore have some direct questions for the Deputy First Minister. Why are young people being asked to use games consoles to access learning? Why does not every pupil who needs a device to learn on have one? When will the additional funding that has been announced today actually hit the pockets of local authorities so that they can put new staff in place, given that we are already halfway through January?

When will we finally see the full detail of and guidance on the alternative certification model? Many people are still completely in the dark about the plans.

Finally, will the Government commit to doing what we are calling for, which is to double financial support for online learning if schools remain closed beyond the end of January?

The Deputy Presiding Officer: That was a lot of questions, cabinet secretary, but please be succinct in your response.

John Swinney: I do not accept that characterisation by Jamie Greene. He does a disservice to education professionals the length and breadth of the country who are, at this moment, working really hard to deliver remote learning and to give live lessons and have live interactions with pupils. That is all going on today and has been going on all this week.

On the specifics, I recounted that we did a data collection exercise that identified that 70,000 young people who needed devices were without them. We have put in place the resources that have enabled 70,000 devices and connectivity packages to be put in place, and I have put new money on the table today for local authorities to fill any gaps that they still face. I have committed that money, so local authorities know that it is coming to them and can commit to the expenditure that is required.

All the detail on the alternative certification model has been published. What the national qualifications group is wrestling with is the implications of the move to remote learning that was announced a week ago. All the detail was published before that, so the group is simply responding to the changes that were announced just a week ago. The group is taking care to consult the education system, as the Priestley review asked it to do, and it is doing that very well and to my satisfaction. Details were published yesterday on the steps that have been taken, and further details will be published shortly.

Iain Gray (East Lothian) (Lab): I thank the cabinet secretary for early sight of his statement. It is clear that teachers in difficult circumstances have worked hard over recent months in preparation for a sudden shift to remote learning and that they were ready with materials and programmes for their pupils to continue learning at home.

However, many will feel that they have been let down by the national platforms on which they thought they could rely—most notably through a widespread software failure. There have also been problems with the flagship e-Sgoil platform. One headteacher told me that pupils logging in did not get the licence that was advertised, that links have not worked and that, in any case, most subjects are still not covered.

The Scottish Qualifications Authority then lived down to expectations by publishing an assessment update on its update, promising another update to come. It is still looking for two to four assessments to be done, and is even suggesting that teachers might invigilate them remotely using—I presume—the information technology that was not working at that point.

Why did Education Scotland not fully stress test well in advance the IT that it was recommending for schools? Is the e-Sgoil offer fixed today? Will it be extended to all subjects? Is not it time to accept that trusting teacher assessments is the only viable alternative to exams, in the current circumstances? We need to give teachers, pupils and parents clarity now.

The Deputy Presiding Officer: I remind members who are frowning that front-bench spokespeople have a given amount of time to ask their questions—so you can cheer up, Mr Coffey.

John Swinney: I welcome Iain Gray's recognition of the good work that teachers have done. They have made a superb effort in order to be ready for the circumstances in which we are. I appreciate his acknowledgement of that, and I deprecate the Conservatives, who are unable to reflect that.

On IT, the Glow Connect system accesses Teams, which is delivered by Microsoft—it is the product supplier that delivers the platform on which Glow Connect is based. We look to Microsoft to fulfil its obligation, as the technology provider, to ensure that that is in place.

On Monday, there was a widespread problem that was not unique to Glow Connect—it affected a wide range of organisations that use Microsoft Teams. I suspect that it was probably to do with so many people accessing Microsoft Teams at one time. Microsoft has addressed the issues to our satisfaction—the system operated well yesterday and I am informed that it is working well today.

In relation to the national e-learning offer, there are more than 500 recorded lessons available, and e-Sgoil is providing coverage across a range of courses.

Finally, on assessment, teacher estimates will underpin the alternative certification model. It has been agreed with the national qualifications group that a number of different elements of in-school assessments will form that teacher judgment. The model was put in place prior to the move to remote learning. The national qualifications group—which is, I stress, led by the SQA, and is representative of and involves a range of interested parties, including our professional associations—is looking at how the move to remote learning affects delivery of the alternative certification model. I am keen to give the system some time, so that the implications of the issues can be thought through and for those to be communicated directly, which will be done in short order.

The Deputy Presiding Officer: I have 20 minutes, and 14 members want to ask questions. You do the arithmetic—it is important that you do so, given that the statement was on education.

I will take Claire Adamson, to be followed by Oliver Mundell. I ask for succinct questions, please.

Clare Adamson (Motherwell and Wishaw) (SNP): We know that many parents and carers are concerned for young people. Although schools are open for vulnerable children and the children of key workers, there are pupils with additional support needs who are, for whatever reason, not attending school. What support will be available to them to ensure that they are not disadvantaged while they are unable to attend school and are working from home?

John Swinney: It is important that schools make individual judgments about the needs of pupils who have additional support needs. For some of those young people it can be argued that they should be in school, but others might be better supported at home.

Individual judgments are made by schools. I discussed the issue extensively with headteachers on Friday. I spoke to a number of headteachers of special schools who are making such judgments, who made precisely the point that some young people are better supported at home, in an environment in which their learning and support can be delivered, tailored very much to the needs of each individual pupil. I hope that that gives Claire Adamson the reassurance that she seeks.

Oliver Mundell (Dumfriesshire) (Con): Is it acceptable that some parents in my constituency are reporting that their children are being offered no live element of home learning? What is the cabinet secretary doing to make sure that there is consistency across the country?

John Swinney: I set out in my statement that guidance has been issued by Education Scotland on the expectations on remote learning. That guidance was published on Friday and has been communicated to every teacher in the country by the General Teaching Council for Scotland.

Education Scotland inspectors will review delivery of remote learning around the country to assess the degree to which expectations are being fulfilled, and we will work with local authorities through the Association of Directors of Education in Scotland to ensure that schools in all circumstances are delivering what we expect in remote learning.

Kenneth Gibson (Cunninghame North) (SNP): Remote learning is key to ensuring that pupils continue their education. Can the Deputy First Minister confirm the minimum number of remote-learning hours that pupils will receive each week? Are enough supply teachers trained to deliver remote learning if they are required in the event of teacher illness? How will pupils with

additional support needs be supported to learn remotely?

The Deputy Presiding Officer: That was three questions.

John Swinney: As I said in my answer to Mr Mundell, guidance has been published on the expectations on remote learning, which will be a mixture of direct live lessons and other learning tasks that can be carried out independently by pupils, as would be the case in school.

The needs of pupils with additional support needs will be assessed individually by schools, and appropriate delivery mechanisms will be put in place to support those young people.

Finally, because of remote learning, staff who are, for example, self-isolating and who would not ordinarily be able to attend school, will still be able to teach from home, provided that they are well. I am confident, particularly given the investment that the Government has made in additional teaching staff, that we have in place enough teaching staff to deliver the learning that is expected.

Daniel Johnson (Edinburgh Southern) (Lab): I will ask the cabinet secretary about the national qualifications group. The document on teacher assessment for national awards was published in October, and assumed a high degree of classroom learning. Teachers will, I presume, be expected to submit their estimates and other evidence in the coming weeks. When, therefore, will the revised guidance be published by the national qualifications group and/or the SQA?

John Swinney: It is important to stress that the guidance will be published by the national qualifications group and not exclusively by the SQA. The SQA is working collaboratively with professional associations, directors of education in local authorities and Colleges Scotland to make sure that we have system-wide buy-in to the approach that we take. I expect that guidance to be published very shortly, but it is dependent on the time for which remote learning will have to operate. As I have said, I want to keep that to a minimum.

The guidance will be published shortly in order that the system is clear about expectations on assessment. The key point in the guidance that was issued yesterday was that the system should focus on learning and teaching at this time, because it will be possible to fully deploy certification only if all the learning and teaching for qualifications have been completed during the year. I encourage schools to concentrate on delivery of learning and teaching. Assessment issues, for example, which might involve changes to the timetable for submission of estimates, will be clarified by the national qualifications group.

Annabelle Ewing (Cowdenbeath) (SNP): On the issue of key workers, I have been contacted by some parents in my constituency who are a bit confused about the position that is being adopted by Fife Council. Although I understand that the specific definition of “key workers” is a matter for local authorities, can the Deputy First Minister say whether anything can be done to ensure greater clarity and transparency, so that parents know exactly where they stand as far as in-school and nursery education provision is concerned?

John Swinney: We have set out three categories of key workers. Category 1 includes, essentially, health and social care workers who are critically important to the Covid emergency; category 2 includes wider emergency staffing across a range of sectors; and category 3 includes a group of workers who are critical to the functioning of the Scottish economy.

We have left flexibility for local authorities to interpret that guidance and to apply it more specifically because, in some parts of the country, there are different factors to consider. For example, a part of the country that is more dependent on food processing for the Scottish economy will have greater considerations in that respect.

There is flexibility for local authorities, but the key point that I have to make in response to Annabelle Ewing’s question is that we must keep to a minimum the number of key worker children who present at school, because only by that mechanism can we contribute to the national effort to reduce human interaction and therefore stop the circulation of the virus. We have to keep those numbers to an absolute minimum in the steps that we take.

Liz Smith (Mid Scotland and Fife) (Con): What discussions has the cabinet secretary or Education Scotland had with BBC Scotland and other television channels about additional support for pupils whose first language is not English and who are, obviously, under considerable pressure during this pandemic?

John Swinney: There has been good discussion between Education Scotland and BBC Scotland, and I spoke to the director of BBC Scotland about all of those issues last week.

Specific measures will be put in place by individual schools to ensure that the learning of young people who do not have English as their first language is supported. Obviously, schools know those pupils well, and that work must be finely targeted. That is a big challenge for our schools, because a broad range of languages is spoken in them, as Liz Smith knows. Fundamentally, the responsibility to establish that dialogue will be a school-based one.

Beatrice Wishart (Shetland Islands) (LD): Families' lives and livelihoods revolve around their childcare arrangements. The Government cannot simply gamble on employers being understanding and flexible, so there needs to be a robust system. Families need to make safe arrangements without putting themselves at risk or sacrificing their careers, and, of course, those decisions will impact women the most. What should families without a childcare place or an informal option do?

John Swinney: We are in quite exceptional circumstances just now, and I am afraid that we have to ask employers to work with us in this respect. We have put into law a requirement for people to stay at home unless they have a reasonable justification for leaving home—that is now the law of Scotland. We do that not because we are keen to do that but because we have to do that, and we have to have employers working with us and supporting us in enabling employees to stay at home in order to minimise the number of children who are in school, so that we can reduce the human interaction in our society and reduce the spread of the virus. I am afraid that those are the hard consequences of trying to tackle Covid.

We are putting in place as much flexibility as we can around the provision of childcare. There is more in place than was the case last March, but we have to be robust in ensuring that we reduce the level of human interaction in our society or the virus will overwhelm our national health service.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): I am delighted to hear of the considerable efforts that are being made by my former colleagues in Education Scotland to support learning and teaching at this time.

In relation to online learning, is the Deputy First Minister able to provide an update on the Scottish Government guidance that will be published requiring daily interaction with young people in a live-learning context, which he mentioned in his answer to me at last week's meeting of the COVID-19 Committee?

John Swinney: Education Scotland published that detail on Friday and, as I indicated in one of my earlier answers, directly communicated it to all members of the General Teaching Council for Scotland. The communication links directly to a helpful page on the Education Scotland website that relates all the guidance and sources of remote learning materials, which is a convenient and helpful way of presenting information to members of the teaching profession.

Ross Greer (West Scotland) (Green): Some special schools are operating as normal, having designated all pupils as vulnerable. The complex needs of their pupils might justify that decision, but a number of teachers and staff have contacted me

with concerns for their health as a result, because it is impossible to socially distance in a special school setting when teachers also fulfil a personal care role, similar to that of a care worker. Are staff in the unique setting of special schools being considered for priority access to vaccinations?

John Swinney: The point that Mr Greer makes about some staff—it will not be all—who attend to the personal care needs of young people in special schools raises significant issues about whether those staff members are part of the education workforce or the health and social care workforce. The fact that staff deliver their work in a school setting should not determine whether they are school or health and social care staff—their functions might be those of the latter—so we are actively exploring that issue at the moment.

Alison Harris (Central Scotland) (Con): I appreciate that the cabinet secretary is making temporary financial support available to the providers of day care for children. He says that he is considering further support to childminders. When will that support be available for them?

John Swinney: We are looking directly at our approach to that. As Alison Harris appreciates, some childminders might be able to operate in the present environment almost on the same basis as they would operate normally. We have to ensure that our approach directly supports individuals in the fashion that all our business support is designed to do, so that individuals or businesses can make it to the other side of the pandemic—if I can put it as colloquially as that. We have to consider the approach with care, because some childminders might be able to operate almost normally. We will come to those conclusions as early as possible, because I am anxious to ensure that there is no uncertainty for childminders in this process.

Claire Baker (Mid Scotland and Fife) (Lab): I want to follow on from Ross Greer's question and ask about the definition of vulnerability. In the first lockdown, a hub model was operated with restricted attendance. This time, the guidance is resulting in the widespread reopening of additional support needs settings and departments of additional support, which is putting staff and pupils at increased risk. Will the cabinet secretary review the criteria to encourage and support restricted attendance and blended learning?

John Swinney: There is a judgment to be made by schools—particularly special schools and those that support young people with additional support needs—as to whether it would be better for a young person to be educated in school or supported at home. Schools are making those judgments.

We will be looking carefully at the data that emerges about the number of pupils who are presenting at schools. I have to be mindful of the number of pupils and staff who are in our schools, because if we do not reduce it, moving to a remote learning platform will not benefit the wider suppression of the virus in Scotland.

I am looking at that data daily, but it is early days for me to see any patterns in it. I will update Parliament on whether we need to take any other action in that respect, to ensure that we reduce the numbers of young people and staff in our schools.

John Mason (Glasgow Shettleston) (SNP): It seems that there have been problems in England with the free school meal parcels that children have been getting if they are not in the school building, and there has been an apology from the supplier. Can the Deputy First Minister assure us that low-income families in Scotland are getting sufficient nutritious food?

John Swinney: The overwhelming majority of local authorities in Scotland have decided to offer families not food parcels, but direct financial support. If my recollection is correct, all local authorities but one now offer families vouchers or cash payments to enable them to choose how to utilise their resources.

A key point that underpins the Scottish Government's policies on family support is the recognition that direct financial assistance and control for families is one of the strongest mechanisms that can be deployed to tackle poverty and ensure that families can make their own judgments.

I hope that that addresses Mr Mason's point. The quality of support is essential to ensure that children are supported with nutritious food at this time.

Neil Findlay (Lothian) (Lab): On Monday, I asked families that did not have a computer or broadband access to enable children to take part in online learning to get in touch with me and detail their problems. Within 24 hours, 100 families had made contact, which is very worrying. If 100 families contacted me as a result of a single social media post, in the limited area that my social media account reaches, what is the situation across the country with regard to families who cannot access online learning? What is the Government doing to quantify and address the issue?

John Swinney: We did a data collection exercise last year with local authorities, which identified that 70,000 young people needed devices or connectivity packages to help them to access learning. The Government put in place resources, through either the direct provision of Chromebooks or direct funding to local authorities,

that enabled needs to be met in approximately 70,000 cases.

I accept that it is a moving picture, and that other cases may emerge. That is why I have, today, put more resources on the table to support local authorities in that endeavour, should families experience circumstances of the type that Mr Findlay has raised with me today.

Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP): Is the Deputy First Minister able to provide an update on the discussions that are taking place with local authorities and teaching unions on the testing pilot for school staff, so that those who work in our schools feel reassured about returning to work when it is safe for them to do so?

John Swinney: I think that I heard the core point of Dr Allan's question, which was on testing arrangements in schools. A number of pilot studies are now under way and will be commencing next week.

In addition, teaching staff have available to them the facility to request at any time, through their employer, a polymerase chain reaction test if they are concerned about the virus. They do not need to be symptomatic—they can secure a test at any time should they wish to have one. That facility is not available to many groups of employees, but it is available to members of teaching staff. We are working to build that testing capacity to enable us to be confident about a return to face-to-face learning.

Of course, the best way for us to secure a return to face-to-face learning is through a massive reduction in the prevalence of the coronavirus in our communities. That is the most assured route by which we will see a return to face-to-face learning, which is why it is important that everybody complies with the measures that the Government has put in place, which merit compliance, to ensure that we reduce the prevalence of the virus and get young people back into schools.

The Deputy Presiding Officer: That concludes questions on the statement. I thank the cabinet secretary and members, as everyone managed to get their question in.

First Minister's Question Time

12:30

The Presiding Officer (Ken Macintosh): We come to First Minister's question time. Before taking questions, the First Minister will update the Parliament with a short statement.

The First Minister (Nicola Sturgeon): I will update members on the current position in relation to Covid. I must stress at the outset that the situation that we face in relation to the virus remains precarious and extremely serious. Therefore, in order to maximise our chances of effectively suppressing the virus, I will set out further tightening of the lockdown restrictions.

First, I will give a brief summary of today's statistics. The total number of positive cases reported yesterday was 1,949, which represents 10.2 per cent of all tests carried out and takes the total number of cases to 155,372. I can also confirm that, as of yesterday, 191,965 people had received their first dose of vaccine. Today, 1,794 people are in hospital with Covid, which is 77 more people than yesterday. In the week up to 7 January alone, 1,005 patients were admitted to hospital, compared with 851 patients in the final week of December. Currently, 134 people are in intensive care, which is one more than yesterday. All those figures underline the severity of the pressure on the national health service and the fact that that is increasing.

I am sad to report that, in the past 24 hours, a further 79 deaths have been registered of patients who first tested positive in the previous 28 days. The total number of deaths under that measure is now 5,102.

National Records of Scotland has just published its weekly update, which includes cases where Covid is a suspected or contributory cause of death, even if that has not been confirmed through a test. Today's update shows that, by Sunday, the total number of registered deaths linked to Covid under the wider definition was 7,074. Of those deaths, 384 were registered last week, which is 197 more than in the previous week, and is the highest weekly figure that we have recorded since May. Some of the increase might be down to people registering deaths last week that had occurred over the Christmas and new year period. Even so, the figure is heartbreakingly high, and it reminds us again of the grief that the virus continues to cause. Yet again, I send my condolences to all those who have lost a loved one.

A little while ago, the Cabinet Secretary for Health and Sport made a detailed statement about our vaccination programme. As I give today's

statement, which will inevitably focus on the sacrifices that we are asking of people, it is worth highlighting some of the key points that she made.

We have already vaccinated more than 80 per cent of care home residents in Scotland, and more than half of front-line health and social care workers. The vaccination of those aged over 80 is under way and gathering speed. First doses for the over-80s will be completed by the start of February, and everyone aged over 70 will have been offered vaccination by mid-February. It is our aim to vaccinate everyone over 65 and those with extreme clinical vulnerability by the end of February. That means that, by the start of March, 1.4 million people will have received at least the first dose of vaccine. To support that, more than 1,100 vaccination centres are already operational in Scotland. That number will increase, with mass centres opening too, as supplies increase.

That is all positive. Vaccination offers us a route back to a more normal life, and gives us real hope for the future. However, for now, we are in a race against the virus. To win the race, we must complete the vaccination programme as quickly as possible, which is what we will do, but we must also slow down the virus. Today's numbers demonstrate again why that is necessary.

In early December, we were recording approximately 100 new cases of Covid each week for every 100,000 people. Since then, that figure has almost trebled. That is mainly because the new variant of Covid, which is much easier to transmit, is spreading rapidly. The new variant now makes up around 60 per cent of new cases and makes it far more difficult to get the R number back below 1 without severe restrictions.

Of course, we now have severe restrictions in place and, while it is still early days, there are some signs that lockdown may be starting to have an effect. The rapid increase in cases that we saw around the turn of the year appears to have slowed down and begun to stabilise. That is good news, but at this stage it can give us no room for complacency. It is too soon to be entirely confident that the situation is stabilising and, even if it is, that will only be because of lockdown. It is not, unfortunately, an indication that it is safe to ease it yet in any way. The number of new cases is still far too high and, of course, all of that is having a significant and severe impact on our health service.

With the number of people being infected every day remaining as high as it is, the pressure on the national health service is likely to increase further and continue for some time. Also, as I reported a few moments ago, last week saw the highest number of registered deaths from Covid since early May. Therefore, we must continue to do everything possible to reduce case numbers. That

is essential to relieve the pressure on our health service and also to save lives. That is why the Cabinet considered yesterday some further tightening of the lockdown restrictions, to ensure that they can be as effective as they need to be in suppressing the virus.

There are six changes that we intend to make, and the regulations giving effect to them will, subject to the Parliament's approval, take effect on Saturday. I am aware that some of the changes will sound technical and relatively minor. However, we believe that, both individually and collectively, the additional measures, in further reducing the interactions that allow the virus to spread, will help our essential efforts to suppress it. Of course, however technical the changes might sound, I know that all of them involve further restrictions on our essential liberties, so I want to give an assurance again that none of these decisions is arrived at lightly.

I will set out what the changes are. First, we intend to limit the availability and operation of click-and-collect retail services. Only retailers selling essential items will be allowed to offer click and collect. That will include, for example, clothes and footwear, baby equipment, homeware and books. All other click-and-collect services must stop. More importantly, for click-and-collect services that are allowed, staggered appointments will need to be offered to avoid any potential for queuing, and access inside premises for collection will not be permitted.

The details will be set down in regulations and in guidance. I know that businesses affected by the change will be disappointed and that many have gone to great lengths to make services as safe as possible, but we must reduce, as far as is possible, the reasons that people have right now for leaving home and coming into contact with others. I welcome the actions of those businesses that have voluntarily suspended click and collect and tightened their procedures—for example, in relation to face coverings.

Secondly, we intend to apply restrictions to takeaway services. Customers will no longer be permitted to go inside to collect takeaway food or coffee. Any outlet wishing to offer takeaway will have to do so from a serving hatch or doorway. That is to reduce the risk of customers coming into contact indoors with each other or with staff.

Thirdly, we intend to change the rules around consumption of alcohol. At the moment, different parts of Scotland have different laws in relation to the consumption of alcohol in outdoor public places. However, from Saturday, it will be against the law in all level 4 areas to drink alcohol outdoors in public. That will mean, for example, that buying a takeaway pint and drinking it outdoors will not be permitted.

Again, I know that that will not be a popular move, but it is intended to underline and support the fact that right now we should be leaving home only for essential purposes. That includes exercise or recreation, but it does not include simple socialising. When you do leave home, you should meet only one person from another household in a group no bigger than two people. I know that that is a hard message and it is absolutely not one that I want to be sending, but it is vital to reduce the risk of the virus spreading.

Fourthly, and significantly, we intend to strengthen the obligation on employers to allow their staff to work from home whenever possible. The law already says that we should be leaving home to go to work only if it is work that cannot be done from home. That is a legal obligation that falls on individuals. However, we will now introduce statutory guidance to make it clear to employers that they must support their workers to work from home wherever possible. For all employers, the basic but vital message is this: if your staff were working from home during the first lockdown last year, they should be working from home now and you should be facilitating that.

Fifthly, we will strengthen the provisions in relation to work inside people's houses. We have already issued guidance to the effect that in level 4 areas work is only permitted within a private dwelling if it is essential for the upkeep, maintenance and functioning of the household. We will now put that guidance into law.

The final change is an amendment to the regulations requiring people to stay at home. I should be clear, however, that this is intended to close an apparent loophole, rather than change the spirit of the law. It will also bring the wording of the stay-at-home regulations in Scotland into line with those in the other nations of the United Kingdom.

Right now, the law states that people can leave home only for an essential purpose. However, having left home for an essential purpose, someone could then stay out of their home to do something that is not essential without breaching the law as it stands. The amendment will make it clear that people must not leave or remain outside the home unless it is for an essential purpose. That change will provide legal clarity to facilitate any necessary enforcement. I want to be clear that it does not change the range of essential purposes that currently enable people to leave their house, nor does it put any time limit on how long people can be outdoors for essential exercise, for example, but it does mean that if the police challenge you for being out of the house doing something that is not essential, it will not be a defence to say that you initially left the house to do something that was essential.

I know that none of this makes for enjoyable listening. If it is any comfort, although I do not expect that it will be, it gives me no pleasure to be talking about further restrictions on businesses and on our individual freedoms to come and go as we please. Please know that we would not be doing any of this if we did not believe it to be essential in order to get and keep this potentially deadly virus under control. Case numbers are still so high, and the new variant is so infectious, that we must be as tough and as effective as we possibly can be to stop it spreading. That means taking further steps to stop people from meeting and interacting, indoors and also outdoors. Today's measures will help us to achieve that. They are a regrettable but necessary means to an end.

I stress again that, although these are dark and difficult times, we have grounds for hope. As I indicated earlier, there are some early signs that the lockdown is beginning to have an effect, so we must stick with it. Vaccination is already protecting a lot of the people who are most vulnerable to the virus, and it will protect more in the weeks and months ahead.

However hopeless the situation makes us all feel at times, the fact is that none of us is powerless in the face of the virus. We cannot guarantee that we will not get it or pass it on—it is, after all, highly infectious—but we can all behave in a way that significantly reduces our risk of getting it or passing it on, so please continue do that.

I stress this point: please stick to the spirit, not just the letter, of the rules. Do not think in terms of the maximum interactions that you can have without breaking the rules. Please think instead about how you minimise your interactions to the bare essentials so as to remove as many opportunities as possible for the virus to spread.

In everything that you do, assume that the virus is there with you—that either you have it or any person you are in contact with has it—and act in a way that prevents it from passing between you. All of that means staying at home except for genuinely essential purposes, and that includes working from home whenever possible. Except for essential purposes, do not have people from other households in your house and do not go into theirs, and please follow the FACTS advice at all times when you are out and about.

All of that is how we keep ourselves and our loved ones safe, and it is how we keep the virus under control until the vaccines get to do their work. At this critical and dangerous moment, please stay home, protect the national health service and save lives.

Covid-19 (Restrictions on Businesses)

1. Ruth Davidson (Edinburgh Central) (Con):

I thank the First Minister for advance notice of her statement.

The announcement of new restrictions today to both takeaway and click-and-collect services, while understandable, will be a further disappointment to businesses. Business groups have said that the evidence for the decision has not yet been made plain to them. For many of them, the restrictions were unexpected only a week ago. They thought that their services would continue and, in many cases, they had invested heavily to make their premises safe so as to keep trading.

I am pleased that the First Minister says that funding will be made available at some point, but is there not a case for extra compensation for businesses that have been told by the Scottish Government what to do to become Covid compliant, that have spent money making all the changes that ministers required of them and that are now being told that they must adapt again?

The First Minister (Nicola Sturgeon): Those are all reasonable points. On the question of evidence, we will publish an evidence paper—it is probably being published just about now—which is an update of the paper that we published last week. It will be put into the public domain for scrutiny by members of the Parliament and the wider public, and it covers the state of the epidemic and the evidence underpinning the decisions that we are making.

I fully understand the call from businesses in different sectors for specific evidence about transmission in those respective sectors. When we were at a stage at which community prevalence of the virus was lower, it was much more relevant to look, with a laser focus, at exactly where the virus was spreading. When we have higher community transmission, which is being fuelled by the faster spreading variant, it is much more the case that the evidence tells us that, overall and in general, we have to minimise all our interactions with other people.

Lockdown, as announced last week, has substantially done that. We have data that suggest that traffic volumes and people's contacts have fallen. However, we know anecdotally and from other areas that there are some parts of the economy and some aspects of individual behaviour where—understandably—people are still coming together in a way that risks, against a faster transmitting variant of the virus, continued spread. That is why we have set out further tightenings today.

We are not taking away click and collect altogether. Some businesses have already

decided voluntarily to suspend such services, and we are putting in place more mitigations and greater restrictions, all to the end of suppressing the virus.

On financial compensation, significant money is available. Much of it is already with businesses and much more is flowing to businesses over the course of this month. The finance minister recently set out additional payments for people in the hospitality and retail sectors, for example. On an on-going basis, we will continue to look at what we can do, within our resources, where there are legitimate calls for more financial support.

I hope that, however difficult it is, businesses will understand, as individuals do, that all this is simply necessary and inescapable right now if we are not to see ourselves and our national health service being overwhelmed by the virus, and, unfortunately, many more people dying from it.

Ruth Davidson: The decision is the latest in which businesses do not feel involved or consulted by the Government. They feel like an afterthought—and no wonder. We called months ago for a Covid business council, and the First Minister said that she would take the proposal forward, but such a council has still not been launched.

The new funding that was announced this week is welcome. New funding was also welcome way back on 9 December, when the Government announced an extra £185 million in support for business and £55 million for sports clubs. It was welcome in November, when the Government announced the strategic framework business fund. It was welcome in late October, when the Government announced a £30 million discretionary fund. Of all those funds, we have seen evidence of only £6 million reaching businesses. Will the First Minister agree to publish, immediately, how much of all that funding has reached businesses? Will she say now whether even a tenth of the funding has been delivered, months on?

The First Minister: We will publish figures as the information comes through. In the main, local authorities are administering the funding. Of the £715 million that has been allocated to business support since October, £600 million is live and the vast majority of other funds go live this month. Payments are flowing to businesses, and at the end of this month the businesses that are eligible for additional top-up payments will receive those payments. We will continue to publish figures as we proceed.

On consultation with businesses, we have discussions with businesses, business organisations and individual sectors on an on-going basis. I appreciate the desire for as much

consultation as possible, and we will try to consult as far as we can. However, ultimately, right now we face decisions that are inescapable. No amount of discussion and consultation takes us away from the sharp point that we have a rapidly spreading virus, which, if we do not reduce and minimise interactions, will overwhelm us, overwhelm our national health service and lead to the deaths of many more people.

I am afraid that that is the harsh reality of the situation that we are in just now. My duty as First Minister, and the duty of the Government, is not to shy away from these difficult decisions but to take responsibility for them. It is my duty to stand here and set out the decisions and the reasons for and evidence behind them—and, yes, to continue to do as much as we can to support the people who are affected by them.

Ruth Davidson: The Government also has a responsibility not to let viable businesses fall. Here is where we are. Leaked documents show that only seven of 30 business funds have launched. The Federation of Small Businesses Scotland says that funding is trapped in an “administrative logjam”.

Another fund, which is not included in that list of 30, has opened. The digital boost development grant fund launched yesterday morning. It was meant to remain open for six weeks but it shut within 24 hours because it was inundated and oversubscribed. That is the measure of how desperate things are. Businesses are crying out for funding, but the funds are not opening and the guidance has not been delivered.

The First Minister has just mentioned councils. They want to get funding out of the door, but they are hearing nothing from the Scottish Government. If someone were to click on to Falkirk Council’s website, they would see that it lists 16 Scottish Government funds. Underneath that list, the website says:

“Please do not contact us about these funds as we don’t have any details as yet.”

Will the First Minister say how many funds have even had guidance issued, never mind delivered money into people’s pockets?

The First Minister: Across all the funds, £600 million of the £715 million announced most recently is already live; the other part of that, as was announced more recently, will be going live in the course of the next period.

I have not seen the leaked documents to which Ruth Davidson referred. I will be happy to look at them to see whether they are up to date or are perhaps out of date. Since October, we have allocated £715 million to business support, which includes payments of up to £3,000 every four

weeks through the strategic framework business fund. There is additional bespoke funding for sectors that have been hit particularly hard, such as tourism and culture, and for groups such as the newly self-employed and taxi drivers.

Just a few days ago, on 11 January, we announced top-up grant support for hospitality, retail and leisure businesses. For larger businesses that will be a top-up of £25,000, which will be paid later this month, compared with the £9,000 that will be paid to similar businesses in England. Smaller businesses will receive smaller amounts. Just yesterday, we announced additional funding for our island communities to help businesses that are in level 3 areas as opposed to level 4.

I have had discussions with the finance secretary on how we can support councils to get money out of the door and into the pockets of businesses more quickly. The digital boost development grant fund that was mentioned has been oversubscribed very quickly. One of the discussions that I was having just before I left the office to come to the chamber—which I will continue and complete when I get back there after this session—was on how we put additional funding into that in order to meet more of the demand for it.

This is therefore an on-going process, which we will continue to give the priority that it merits.

Ruth Davidson: The First Minister has responded to me by listing announcements. I welcome those—everyone does—and the Scottish Government is great at making them, but this is about getting money delivered into people's pockets, and the money is not getting there.

The First Minister's inbox will be the same as mine—groaning under the weight of inquiries from people who are desperate actually to see the funding that they have been promised to prevent their jobs from going under. Here is a quote from an email from George:

"Good afternoon, Ruth. I am asking as a husband and a father. Can you ask the Scottish Government when the grant to Scottish taxi drivers is likely to be distributed? I am on my knees here, trying to pay bills and also keep a taxi on the road with little work. It is desperate stuff now. I understand that everyone is in the same position, but we have been promised this since November and we can't find any access to find out what is happening."

For George and 38,000 other taxi drivers, we could read thousands more shopkeepers, gym operators, hairdressers, bed-and-breakfast owners, tour operators, wedding business operators, self-catering operators and those in any number of supply chains, all of whom have been promised help. They all welcomed the First Minister's announcements, but they are all being

told, "Don't bother applying yet, because we don't even know how these schemes are going to run."

Way back on 24 March, Kate Forbes said that the aim was to make payments within 10 working days. Right now, there are sectors out there that would be delighted if they could see the promised cash within 10 weeks. When will the First Minister finally get to grips with that, as thousands of Scottish jobs rely on it?

The First Minister: I fully understand how important the issue is. Ruth Davidson seeks to give the impression that no money has flowed to businesses, but that is not the case. We have announced many additional streams of support as different sectors have made cases for additional funding. When we announce those, of course we have to put in place arrangements to get such funding out—usually through local authorities, which often ask us for additional guidance on eligibility for it. That is an on-going process, which we will continue to accelerate as much as we possibly can.

Money is flowing to businesses, and more will do so. The finance secretary will continue to support councils. Additional administrative support has been given to councils to ensure that the process is as quick as it can be.

Covid-19 (Testing)

2. Richard Leonard (Central Scotland) (Lab): I thank the First Minister for advance sight of her statement. No one welcomes such restrictions, but compliance with them is necessary. I stress that it is really important that employees who can work from home are allowed by their employers to do so.

This week, the Scottish Government's strategy for testing and tracking down positive Covid cases has come under renewed scrutiny. Research by Scottish Labour has revealed that, in the past four weeks, Scotland has carried out fewer tests per 100,000 people than any other nation of the United Kingdom. Over the past week, Scotland has carried out half the number of tests per 100,000 people that have been carried out in England. Professor Mark Woolhouse, a member of the First Minister's advisory group, has warned:

"we are only finding half, or even less than half, of the cases. This is like fighting the epidemic with one arm behind our back".

Yesterday, the First Minister said that she was looking into a roll-out of community mass testing at greater scale, which I welcome, but when and where will that start, and when will Scotland stop fighting the epidemic with one arm behind our back?

The First Minister (Nicola Sturgeon): I have had exchanges of this nature with Richard Leonard before, so I am happy to go through some of the basics again and go through some of the work that is under way.

I strongly suspect that the figures that Richard Leonard quoted at the outset of his question—I am happy to be proved wrong if this is not the case—are the figures for the demand-led testing scheme, whereby people who have symptoms go to a drive-through centre or a mobile testing unit or order a home test and get tested. As I have set out before, the reason why the numbers going through that process are lower in Scotland than in other parts of the UK is that, even though prevalence of the virus in Scotland is much higher than we want it to be and it is rising, it is lower than it is in other parts of the UK. It is perhaps less than a third of what it is in some other parts of the UK. In very simple terms, that means that there are fewer people with symptoms putting demand on those tests. That is why those figures show what Richard Leonard has set out. That is quite an important point of detail to grasp and to understand.

What I have just described is symptomatic testing; people go for it only if they have symptoms. So, if our prevalence means that fewer people have symptoms, fewer people will be accessing that testing.

We are not just looking at asymptomatic testing; we carried out pilots of it in a number of areas before Christmas and we are looking at plans from local authorities to roll it out on a bigger scale. We are looking at rolling out asymptomatic testing quickly to industrial sites to help with workforce containment as well, and we will be setting out details of those plans very soon. That is work in progress, and we could not do that significantly earlier because a lot of it relies on lateral flow testing technology, which has come on stream in sufficient volumes only relatively recently.

That is all important work, which is being done at pace. I do not want to send any message of complacency about this, because I could be standing here next week and the position could be very different, but I come back to the point that, right now, although the prevalence of the virus is too high—it is increasing, and that is not acceptable—it is lower than in England and in Wales, and it has certainly been lower than in Northern Ireland.

That suggests not that we are getting everything right but that perhaps we are not doing everything wrong, as Richard Leonard often stands up and says. We can never take our foot off the pedal on this. We have to run faster than the virus, and that is what we are determined to continue to do.

Richard Leonard: The First Minister talks about running faster than the virus, but the figures are these: positive case numbers have increased by 184 per cent since the start of December but we are carrying out only 7 per cent more tests, so increasing testing is crucial.

However, to contain this new wave, we need to be tracing contacts effectively as well. Last time there was a spike in cases, we know that test and protect struggled to cope and reverted to using only SMS messages to trace contacts. Back then, the First Minister said that her Government would

“seek to improve the system”,—[*Official Report*, 12 November 2020; c 7.]

with more phone calls and fewer people receiving only texts. However, according to Public Health Scotland, once again,

“over the past few weeks, contact tracing of contacts has been primarily focused on SMS messages”.

Is the First Minister satisfied that a tracing system based on text messages is sufficient to ensure that people understand what is required of them and, critically, how they can access support? How confident is the First Minister that, if mass testing is rolled out and cases rise, the test and protect system will be able to cope?

The First Minister: The test and protect system is not just coping but doing extremely well. That is not a tribute to the Government but a tribute to those across the country who are working hard to ensure that that is the case. It has coped throughout the pandemic. Yes, the pressure on it is greater at times of higher transmission, but it is a well-functioning system that is coping. For contact tracing, it uses a mixture of telephone calls and SMS; the priority is to get to contacts as quickly as possible. The figures that are published on a weekly basis by Public Health Scotland show that the proportion of contacts that are successfully traced within the target period is high and, the last time I looked, that test and protect in Scotland is performing better in many of those metrics than similar systems elsewhere.

Again, we are not complacent about any of that. We continue to work hard to ensure that the systems that are in place are commensurate to the scale of the challenge, and that will continue to be the case. We also have a system whereby local authorities make outreach calls to people, particularly those in vulnerable, low-income groups, who have been asked to self-isolate, to make sure that they understand what is required of them and that they are accessing any support that they need. The system has many layers and we continue to look at how we can strengthen and enhance all of them, but it is to the great credit of those who are working in our test and protect

system that it continues to operate as well as it does.

Richard Leonard: The First Minister talks about people accessing support, but we know that fewer than a third of applications for self-isolation support grants are approved. The Government assured the people of Scotland that that money was there to help them in their hour of need. However, more than that, that failure is damaging Scotland's efforts to tackle the virus. I know that the Government has revised the support grant scheme, but council leaders I have spoken to say that the Government's criteria are still too restrictive, because they are based on eligibility for particular benefits. As a start, the council leaders suggest widening criteria to include those who are eligible for council tax reductions. Will the First Minister agree today to further widen the Government's criteria so that, at last, the money reaches those people who are in greatest need?

The First Minister: We will always look at reasonable suggestions to modify what we are doing in order to help more people, so, yes, I will undertake to look at that. According to the figures that we have available, expenditure on awards of self-isolation support grants has increased between October and November. We deliberately focus the financial support on the people who are most likely to face hardship and, since it was launched, we have extended the grant to better reach those whom it is intended to support. That includes the parents of children who are required to self-isolate and people who are not in receipt of universal credit but whose income is at a level where they might qualify for the benefit if they applied for it. Spending on the support grant is approaching the levels that we predicted, which suggests that it is reaching the numbers of people that we thought it would.

If it is appropriate, local authorities signpost people who apply but are deemed not to be eligible to alternative support, principally through the Scottish welfare fund. We have also increased funding to the Scottish welfare fund, so we are seeking to get support to as many people as possible, focusing on those who are most in need. However, as with everything else in relation to the virus, the situation continues to be fast moving, so we will continue to look at what more we can do to support people.

Polymerase Chain Reaction Tests

3. Willie Rennie (North East Fife) (LD): Last week, the Scottish Government said that PCR tests are safer than lateral flow tests, but it is still not using the full capacity for PCR testing to hunt down the virus. The First Minister has just said that demand for PCR testing is not at full capacity, so why are we not using it to hunt down the virus

in our communities? If half of the people who have the virus do not know that they have it, why is the Scottish Government not using that capacity to find them? That should be the priority for the Government.

The First Minister (Nicola Sturgeon): PCR tests are not safer than lateral flow tests; they are more sensitive and specific. That is not a pedantic point; it is really important.

Secondly, PCR testing is what we use for symptomatic testing. It is important, especially when transmission rates are rising, that we ensure that there is the capacity to test everybody who comes forward with symptoms. That is what has happened. At the moment—I am touching wood—turnaround times for testing through that system are extremely good. We also use PCR testing for some routine testing of care home staff and some groups of national health service staff.

We think that it is better to use lateral flow testing for wider mass testing of asymptomatic people because of the speed of the results. That, as well as the sensitivity and how specific the tests are, is another big difference between PCR and lateral flow testing. Even with quick turnaround times for PCR testing, it takes more time to get results. We can give people results from lateral flow testing much more quickly. That is the preferred way of mass testing people who do not have symptoms.

We are not not using capacity. We are seeking to use most effectively the different capacities and technologies that we have, overall and collectively, in order that we can keep the virus under control through testing. Of course, important though testing is, it is only one aspect of the strategy that we have to deploy against the virus.

Willie Rennie: The First Minister has just said that she is "not not using" all the capacity. What kind of contortion is that? The reality is that 65,000 tests are available, but she is using, at best, only half of them. Just as it was with business grants, the Government is great at making announcements on testing, but is very poor on delivery. When our hospitals are bursting at the seams, we should be using the gold-plated and gold-standard tests to hunt down the people in our communities who have the virus but do not know it. That is the best way to stop the spread.

I have made positive suggestions for weeks on end in the chamber, and the First Minister has repeatedly pooh-poohed them, but we now find out that the Government is still not using the capacity that is available. Let me make another positive suggestion today. I hope that the First Minister will be able to act on it. There could be mobile PCR testing units at supermarkets, Royal Mail sorting offices, police stations and schools to

test the people on the front line of the pandemic with the best test that we have available for them. Will she agree to that, or is she just going to stick in the rut that she has got herself into?

The First Minister: Scotland is, of course, not the only country that is currently tackling the pandemic. We are not in a rut; we are in the face of a global pandemic that we are seeking to lead the country through.

I will not commit to those suggestions because there are very good reasons why doing so would not be sensible. Places such as Willie Rennie mentioned are exactly where we are seeking to carry out lateral flow testing. They are the kinds of sites at which we carried out pilots before Christmas.

We use PCR testing for routine on-going asymptomatic testing of certain groups. We would be making a mistake if we were to use all our PCR testing capacity for asymptomatic mass testing, because it would then not be available if it were to be required for symptomatic testing. We have to balance sensibly all the different testing capacities that we have, as other countries do.

I know that this is complicated, but there are reasons why we do things. Although the situation is not perfect and is absolutely not beyond being improved when that is required, there are reasons why we use testing as we do.

Self-isolation (Support)

4. Patrick Harvie (Glasgow) (Green): As we pass another tragic milestone in respect of the number of deaths from the virus, our thoughts are with everyone who has lost someone close to them. We all need to continue to take the crisis seriously. Instead of debating exactly how long people are allowed to sit on a park bench, we should be supporting people to do the right thing, which, overwhelmingly, they want to do.

For months, the Scottish Greens have been warning that many people simply cannot self-isolate safely—not just because of income but because of lack of physical space, the risk of losing their job, caring responsibilities and other reasons. Way back in May, the First Minister seemed to agree with us that we should provide hotel accommodation for people who need it. By November, she could not say whether that had happened. We now know that most applications for the self-isolation grant are being turned down. Is it not clear that the Scottish and United Kingdom Governments need to take a far more proactive approach to supporting people to self-isolate—as the Greens have proposed and as other countries have already done—if that critical part of our Covid response is to be effective?

The First Minister (Nicola Sturgeon): Those questions are important, and I covered some of them in response to Richard Leonard. We have eligibility criteria for the support grant; we have already extended them and will consider extending them further. People who do not meet the criteria will be signposted to other support.

The outreach services that local authorities provide can offer other support, and we will discuss with them whether they feel that demand for things like hotel accommodation is coming through those services now. We can certainly look again—as we did last year—at whether that should become part of the offer that we make to people. We will always consider what more we can do.

Although it is very difficult for people in any circumstances to be asked to self-isolate, there is certainly no suggestion that people are not routinely doing it. Patrick Harvie is right: people are doing the right things. Although that is important, so, too, is giving people advice about what they can and cannot do during lockdown. I do not think that it is right to dismiss that. My inbox heaves daily with people wanting practical advice. We must support people in all the different ways, which is what we will continue to do.

Patrick Harvie: I am afraid that I still find it frustrating that we are being told that the issue will be looked at again. I have lost count of the number of public health experts who have been raising the issue for months—as we have—and saying that the approach needs to be much more proactive. If we are expecting that the number of cases will remain high and will continue to rise with the new variant, provision needs to be in place already.

The First Minister will also be aware of the pressure on students. They have been told that they should not return to colleges and universities yet and have, thanks to Green amendments to the coronavirus legislation, the legal right to cancel unneeded tenancies.

However, many private housing providers are putting barriers in the way of cancellation or are forcing students to pay rent for accommodation that they cannot use. Does the First Minister agree that students who have been told not to return to campus should be entitled to a rent waiver for January and February? What action is the Government taking to ensure that landlords respect students' right to terminate their leases freely, if that is what they decide they need to do?

The First Minister: Let me conclude on self-isolation before I get on to the questions about students.

When I say that we look at things “again”, I mean that we look at them on an ongoing basis. We have already made changes to provision of

support for people who are self-isolating. We will never get to a stage in the pandemic when we will say that we have done enough and will not consider doing more. That commitment is ongoing and is important.

We will look into the matter and we will take whatever action is considered to be necessary when there is evidence that private housing providers are trying to frustrate students' ability to exercise their legal rights. If Patrick Harvie or others know of specific incidences, they should, please, pass them to us.

More generally, the issue of rent for students is a matter for universities and housing providers. I know that a number of universities and providers are providing some kind of waiver or rebate, but I encourage them to go further than that and to ensure that the situation students are in is properly understood and responded to. We will, through the Scottish Funding Council, continue to discuss with universities the extent to which the Scottish Government can help with that. However, responsibility for addressing the matter is, in the first instance, fundamentally for universities and providers of housing.

Care Home Visiting

5. Shona Robison (Dundee City East) (SNP): To ask the First Minister what the current guidelines are regarding care home visiting. (S5F-04726)

The First Minister (Nicola Sturgeon): In view of the move to enhanced level 4 measures, it has been recommended that visiting in adult care homes is restricted to essential and outdoor garden and window visits. I know how distressing that is for the friends and family of people in care homes, given that before we moved into this situation progress was being made on visiting. However, concerns around the spread of the virus are significant.

I hope that, with the progress that we are making in vaccinating care home residents and staff, we will soon be able to support more indoor visiting. In the meantime, essential and outdoor visiting should continue, and it is vital that care homes support essential visiting to ensure that families are able to visit those in distress or who have a change in their wellbeing, and of course to visit those who are approaching the end of their life.

Shona Robison: I thank the First Minister for that answer and agree that today's vaccination update gives us all hope that there is light at the end of the tunnel.

With regard to the current guidelines, can the First Minister provide further information on how end-of-life exemption decisions are approached,

reached and communicated to families? I have heard from constituents who have been notified far too late and, tragically, have been unable to see loved ones before losing them. Will the First Minister consider reviewing the guidance around those decisions in the light of such cases?

The First Minister: Yes. If it is thought that reviewing the guidance would help to reach appropriate decisions in those cases, we will, of course, consider doing that. I am very sorry to hear about Shona Robison's constituents' losses and the loss of anybody across the country in those circumstances.

We expect care homes—I know that care homes are working hard on this—to take the necessary steps and to be flexible in supporting families to visit loved ones who are near the end of life, wherever possible. Essential visits include those in circumstances in which it is clear that the person's health is changing for the worse and in which visiting may help with communication difficulties or to ease significant personal stress. That includes those who are approaching the end of life.

On how those decisions are made, we would hope and expect that care homes would make those decisions in close and regular contact with families. That is particularly important in an end-of-life situation.

We will, of course, continue to reflect on how and to what extent we can make the process easier or less horrendously difficult by providing amended guidance.

Vitamin D Supplements

6. Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con): To ask the First Minister whether she will provide an update on the roll-out of vitamin D supplements for people who are eligible. (S5F-04724)

The First Minister (Nicola Sturgeon): This week, Food Standards Scotland launched a new campaign to encourage people to take vitamin D supplements to maintain bone and muscle health. That campaign builds on a recent social media campaign and other work by the Government, Food Standards Scotland and Public Health Scotland to raise awareness of the importance of vitamin D.

That includes, of course, the offer that we made at the end of last year to everyone on the shielding list of a free four months' supply of daily vitamin D supplements to support their health and wellbeing over the winter months. More than 71,000 people who opted in received that in early December last year. Supplies were sent out in late November, and I understand that that is now complete. The offer included residents in care homes and those

in prisons, who will receive their supply through individualised discussions and prescriptions where that is of benefit.

Rachael Hamilton: Vitamin D deficiency is a national issue in Scotland. We know that 75 per cent of Covid deaths have been in the 75-plus age category; that vitamin D deficiency is higher in that group of people; that the lockdown has restricted exposure to daylight; and that not all people have access to good food sources. There is a distinct need to improve immune health in those vulnerable groups.

I am glad to hear that the First Minister is committed to the calls from campaigners to supply free vitamin D to care home residents. Will she consider her Government funding vitamin D trials in Scotland to provide resource to gather data on vitamin D deficiency and sort out our issue with immune health in Scotland?

The First Minister: I am sure that there is willingness to consider any proposals for trials. The Government funds trials in a range of clinical and medical areas, and there is a well-established process for that. I would be very surprised if there has not been support for areas around vitamin D in the past. There is a process to allow that to happen.

It is important that we raise awareness of the importance of vitamin D, particularly for people who are more vulnerable to the implications of vitamin D deficiency. That is why the campaigns that I have spoken about are so important, particularly given the lockdown situations.

We will continue to look at how we can continue to support the availability of vitamin D. The four months of free supplies for those on the shielding list were important, and what I have said about care homes is important.

My final point is particularly relevant for people in care homes. It is important that the provision is based on individual discussions, because there can be instances in which vitamin D interacts with other medications that people are on. Appropriate clinical advice is always vital.

Covid-19 Restrictions (Enforcement)

7. Rhoda Grant (Highlands and Islands) (Lab): To ask the First Minister what analysis the Scottish Government has undertaken regarding whether the level of police enforcement of emergency Covid-19 regulations is appropriate and the impact this is having on compliance with the restrictions. (S5F-04716)

The First Minister (Nicola Sturgeon): The chief constable of Scotland has been clear throughout the pandemic that the police will follow what he describes as the four Es approach:

engage, explain, encourage and, then, enforce, but only if that is necessary to protect public health.

As part of our on-going review of regulations, we regularly assess whether the powers given to Police Scotland are proportionate and fair. In addition, an independent advisory group, chaired by John Scott QC and reporting to the Scottish Police Authority, provides scrutiny of the police's use of coronavirus powers. We know that most people and organisations are complying with the measures. Polling data throughout the pandemic has shown high levels of understanding of and support for the restrictions, with high levels of self-reported compliance. A high proportion of the public also report that they believe that the police are doing a good job. However, we continue to review and monitor all those things very closely.

Rhoda Grant: The First Minister will be aware of scenes shown on social media at the weekend of police enforcement of Covid-19 restrictions. Although she might not be able to comment on the detail, I am sure that she will agree that those scenes are damaging for both public perception and officers' confidence.

Policing by consent underpins the whole ethos of the Police Service and it must be protected. Restrictions are also more effective if the public co-operate rather than their being enforced. Officers are being asked to put themselves into situations that the rest of us are being told to avoid and it is clear that their workload has increased substantially with the new responsibilities and powers that they hold. What additional resources is the First Minister providing to the Police Service to cope with the pandemic? Will she ensure that all officers are supplied with body-worn video cameras to provide an accurate account of interactions at this challenging time?

The First Minister: We discuss on an on-going basis with the police the resources that they require to do the job that we ask them to do at any given time. Their responsibilities are much greater at the moment, for the reasons that Rhoda Grant set out. The use of body-worn cameras is a matter for the chief constable, but that issue is part of the resourcing discussions that we will continue to have.

If Rhoda Grant is referring to the scenes that I think she is referring to, which many people will have seen on social media, I cannot comment in any detail on them because the matters arising from that video are sub judice. However, the chief constable addressed that particular issue when he joined me at the end of last week at one of the daily media updates. One of the things that he said is that the police in that incident were wearing body-worn cameras, so there will be footage of

what happened. Obviously, that will be for use in any investigations.

The other thing that the chief constable said, which I want to reiterate and underline, is that all of us right now—indeed, at any time, but particularly right now—should exercise a degree of caution in drawing firm conclusions from snippets of incidents that we see shared on social media. Often, what we see will not necessarily be representative of the reality of the situation. That is not a specific comment about that case, but a more general comment that may or may not apply there.

More generally, I take the opportunity to thank the police and their support staff for the work that they are doing, and I give an assurance that we will work with the chief constable and the Scottish Police Authority to support them in whatever ways we can.

The Presiding Officer: Thank you. We move now to open supplementary questions. The first is from Bob Doris.

Supermarkets (Covid-19 Protocols)

Bob Doris (Glasgow Maryhill and Springburn) (SNP): I am increasingly being contacted by worried staff and customers of large supermarkets who are concerned that some stores have not reintroduced protocols—such as queueing and limiting store capacity—that they introduced during last year’s lockdown. They are also increasingly concerned that a minority of customers simply do not show the same caution when shopping that was shown previously. I have been in contact with large supermarkets in my constituency, but what national guidance and standards exist or could be put in place—or, indeed, strengthened—to better and more consistently protect the supermarket workforce in the vital job that they do, as well as the customers?

The First Minister (Nicola Sturgeon): Food retailers’ staff and, of course, customers have an important role to play in adhering to all the measures that are in place. Food Standards Scotland has published guidance for food business operators that sets out how best to prevent the spread of Covid in the manufacture, processing and retail of food—that would include supermarket shop floors—and it provides a risk assessment toolkit that I would strongly encourage all food-related businesses to use.

In the past few days, the main supermarkets have issued stronger messaging about wearing face coverings, which I welcome. I thank them for all that they are doing to help to keep people safe. However, I also strongly encourage them to make sure that all the stringent measures that were put

in place at the first stage of the pandemic, in the first lockdown, are put in place again and adhered to, because that is really important.

Obviously, we cannot close down essential retail, because people need to access supplies. However, because these places remain open, they pose a risk of the virus spreading. The operators and retailers must ensure that they have the right mitigations in place, and, of course, I urge the public to make sure that they abide by all the restrictions when they are going for essential shopping.

Sport Activity After Covid-19

Brian Whittle (South Scotland) (Con): I want to make the First Minister aware of a Scottish Parliament information centre investigation, which it carried out on behalf of the Health and Sport Committee, that indicates that three quarters of people have reduced or significantly reduced their physical activity during the Covid-19 crisis. The same proportion indicate that their mental health, physical health and communities have been negatively affected as a direct result of that decline in physical activity. I am sure that the First Minister will agree that that will have significant long-term implications for Scotland’s health.

Revitalising sporting activity post-Covid will require significant planning and resource. What is the Scottish Government doing to ensure that sporting activity will be available post-Covid? How will the Government encourage the restarting of sport and participation in those activities?

The First Minister (Nicola Sturgeon): We have, relatively recently, provided support to different sport and sporting organisations to protect the viability of sports clubs during the pandemic. We are in an on-going discussion about how they will start up their activities again as we come out of this wave, as they did when we came out of the first wave. Many activities need to get restarted—that is important.

I take this opportunity to ask all those who are still able to participate in sport at an elite level to make sure that they are abiding by the spirit, as well the letter, of all the restrictions.

On physical activity more generally, I have not seen the findings in detail, but, they are, of course, a concern. In the first lockdown—at least, for the first part of it—we restricted legally people’s ability to go outside for physical activity to once a day. We have not done that this time because I think that it is really important that people can go for walks, cycles, runs and whatever they want to do outside. I encourage people to get outside, get fresh air and be physically active. That is good for physical health, and we all know that it is good for mental health, too. In doing so, I ask that people

please make sure that that is for exercise and that they do not allow that to seep into socialising, which would then provide opportunities for the virus to spread. However, people should be getting outside for exercise for a whole variety of reasons right now.

Protect Scotland App

Sarah Boyack (Lothian) (Lab): I spoke to a constituent yesterday who found out through the Scottish Government phone app that he had spent time with someone who had tested positive for Covid. He is worried, because it was 10 days before he was notified. What more can be done to make the system more effective, given the perilous situation that we are in? Is the issue data entry, or is the system not working effectively?

The First Minister (Nicola Sturgeon): I am not sure that I will be able to cast any light on that matter now. I would be not only happy but keen to look into the circumstances of that case.

Of course, the app is anonymous—it does not tell someone who they have been in contact with or anything else. Therefore, it is not immediately clear to me how it would have been obvious that the notification came after 10 days. However, I probably should not try to answer the question without knowing and understanding much more of the detail. If Sarah Boyack can pass the particulars to me or to the health secretary, we will look into that and get back to her as soon as possible.

NHS Ayrshire and Arran (Capacity)

Kenneth Gibson (Cunninghame North) (SNP): Due to a combination of increased Covid-19 infections, 150 staff self-isolating and a rise in admissions due to winter pressures, hospitals in Ayrshire have been stretched beyond capacity and, as of last night, NHS Ayrshire and Arran has had to suspend elective surgery. As a matter of urgency, will the Scottish Government work with NHS Ayrshire and Arran and offer practical and financial assistance to alleviate the immediate pressure, which will protect and support patients and national health service staff?

The First Minister (Nicola Sturgeon): Yes. We will work with all boards, including NHS Ayrshire and Arran, to support them through what are probably the most challenging times that the health service has faced in our lifetimes. We are in daily contact with health boards, including NHS Ayrshire and Arran.

In terms of practical and financial support, we have allocated a total of £2.6 million to support elective services up to March. We have also allocated more than £700,000 to specifically support NHS Ayrshire and Arran through the

winter period. We continue to explore all options to ensure that the most urgent patients are treated, which includes those on a cancer pathway. NHS Ayrshire and Arran is specifically sending patients to the Golden Jubilee hospital for breast cancer surgery and diagnostic testing. We will continue to support all boards to respond to these challenges as best they can.

We can all support the NHS to cope by staying at home and suppressing the virus. Every one of us has a part to play in protecting the NHS right now.

Organ Transplant Patients (Covid-19 Vaccine)

Edward Mountain (Highlands and Islands) (Con): I know that a lot of joint work has gone into identifying the priority for vaccine delivery. Organ donation that leads to a transplant is one of the greatest gifts that can be given and, indeed, received. Constituents have contacted me who are currently on the transplant list but who are not prioritised for receipt of the Covid vaccine. I believe that there is medical and public support for ensuring that those awaiting transplants are given the best chance of being Covid free when they are eventually called in. Will the First Minister ask her advisers to urgently raise with the Joint Committee on Vaccination and Immunisation whether transplant patients should be prioritised for the Covid vaccine?

The First Minister (Nicola Sturgeon): I will certainly consider that properly, and, if it requires us to engage more with the JCVI, we will certainly do that.

I will make two points. First, I completely agree with the importance of promoting organ donation—it is the greatest gift that anybody can give. When I was health secretary, I spent a lot of time working with clinicians and others to raise awareness and increase rates of organ donation and I know that all health secretaries who have come after me have taken that very seriously as well.

My second point is more pertinent to the specifics of the question. The clinically extremely vulnerable are a priority in the first JCVI list—I think that the group is priority 4 in the current JCVI list. As a non-clinician, I expect that many, if not all, transplant patients would be included in that group, but if I am not correct about that I will happily discuss it with advisers and see whether we need to address that point in any other way. I will ask the health secretary to write to the member once we have had an opportunity to consider that.

Safe Care Home Visiting

Neil Findlay (Lothian) (Lab): Families and members have tried for months to make progress

on safe care home contact between residents and families, but there has been almost zero progress. Will the Government now bring forward emergency legislation similar to the Ontario model, so that the rights of those who are receiving care are respected and promoted, and identified family or friends can become essential care givers? If the Government introduced legislation to get that done, parties in Parliament would work constructively with it.

The First Minister (Nicola Sturgeon): I know that the health secretary has met families fairly recently, and I believe that she has a cross-party meeting next week, so I am sure that she is happy to discuss that on a cross-party basis to see whether there is consensus and a feeling that such legislation would be helpful.

Progress was being made on reintroducing safe care home visiting before we got into the second wave, which required additional restrictions. It is regrettable that that has had to go back the way—I made some comments on that earlier—but, given the risk that is posed just now, particularly with the new variant, it is important that we prioritise the safety of people in care homes as far as we can. That is also why the residents of care homes have been the top priority for vaccination; 80 per cent of them have already had their first dose of the vaccine, and I hope that that will play a part in allowing us to get back to safe indoor visiting. We are of course happy to consider legislative options and I will ask the health secretary to ensure that—*[Interruption.]*

Presiding Officer, I am trying to address a serious issue very seriously, and it is not helpful to be shouted at across the chamber. Saying “Do it now” does not help anybody; it is far better for me to set out the challenges and the ways that we will try to overcome those challenges. What I was about to say before the interruption was that I will specifically ask the health secretary—I am sure that she was going to do this anyway—to discuss the issue at the cross-party meeting to look at those options that she will have on Monday next week.

If we think that that offers a quicker way of getting back to some normality, of course, we will do that, but we have to take account of the overall position in trying to keep people in care homes safe. Thankfully, so far, the number of people dying of Covid-19 in care homes is lower in this wave than it was in the first wave, although in saying that I am not trying to minimise it in any way. However, the figures that I announced earlier from the NRS report show that more than 30 per cent of Covid-related deaths in Scotland are in care homes, so we have to be extremely cautious in protecting the safety of those residents as far as we can.

Seafood Exporters (Brexit)

Emma Harper (South Scotland) (SNP): Scottish seafood exporters are suffering a catastrophic collapse in their export businesses because of border chaos caused by Brexit. As we know, borders are a matter that is reserved to Westminster. Will the First Minister detail what assurances and remedial measures the Conservative Government is putting in place as a matter of urgency to alleviate those issues, which are threatening many livelihoods across Scotland’s coastal communities?

The First Minister (Nicola Sturgeon): First, the catastrophe that our seafood exporters are facing is absolutely shameful and disgraceful; I am sure that, but for the Covid crisis that we are living through, it would be dominating the headlines every day.

The issues that are being experienced are a direct result of the United Kingdom Government’s rush to a substandard finishing line that left exporters with less than a week to understand, never mind implement, the implications of the newly agreed relationship with the European Union. The Scottish Government and Scottish food and drink stakeholders repeatedly warned that businesses needed more time to prepare effectively for the changes, but the UK Government point blank refused to listen to the request for a six-month grace period.

We are pressing the UK Government to fix this mess, which is entirely of its making. So far, there is no sense of urgency or any suggestion at all that it is prepared to do that. The Cabinet Secretary for Rural Economy and Tourism has also called for businesses to be compensated for their losses. However, the UK Government appears to be telling businesses simply to get on with it or face the threat of fines. That is unconscionable and unacceptable. We will do everything that we can to support our exporters, but the position that they are in, into which they have been put, should never have been allowed.

Ministerial Code Investigation

Oliver Mundell (Dumfriesshire) (Con): If the First Minister has nothing to hide, why will she not explicitly expand the ministerial code investigation to cover all the accusations that have been made against her? There is a big difference between saying that there are no limits on what James Hamilton can look at and explicitly asking him to examine specific possible breaches.

The First Minister (Nicola Sturgeon): The Deputy First Minister notified me this morning that Mr Hamilton has written to him, confirming that, in his view, all the allegations—incidentally, all of which I completely refute—about breaching the

ministerial code are covered in the scope of his existing remit. I said previously that I wanted him to go wherever he thought it appropriate to go, and, as I understand it, he has now confirmed that there is no limitation on his ability to do that.

I hope that the member will accept that and that people will now allow due processes to take their course, instead of making their minds up before we even get to that point.

British Gas (Employment Contracts)

Jackie Baillie (Dumbarton) (Lab): British Gas, which is owned by Centrica, has threatened to fire and rehire 2,000 workers in Scotland, placing them on significantly worse terms and conditions, using the pandemic as cover. Many of those workers have been on strike for the past week. They describe the changes as having a serious impact on family life and being akin to zero-hours contracts.

Given that British Gas operates a number of public sector contracts, including directly for the Scottish Government, what action will the First Minister take to ensure that fair work principles apply to those and all other Government contracts?

The First Minister (Nicola Sturgeon): Of course, if employment powers rested with this Parliament rather than with Westminster, and if the Labour Party supported that, we would perhaps be in a position to take tougher action. Contractual routes are not the way to resolve these issues; having control over powers in employment law is.

I support the workers in this regard. I think that they are being treated appallingly, and I call on British Gas to get round the table with them and come to a fair outcome as quickly as possible.

Click and Collect (Restrictions)

Joan McAlpine (South Scotland) (SNP): The click-and-collect measures that the First Minister announced today are difficult but necessary. Some supermarkets offer click and collect for food, which is presumably safer, especially if it takes place outdoors, given that we know that transmission in supermarkets is quite high. Can the First Minister clarify that that essential click and collect for food will continue to be allowed?

The First Minister (Nicola Sturgeon): Yes. Click and collect is allowed for essential purposes such as that. In addition to allowing essential click and collect—I stress the word “essential”—we ask, as I said earlier, that the service should be by way of staggered appointments to avoid queues forming, as that is one of the concerns that has been raised about click and collect. It should also be outdoors, as far as practical. It will not be practical for that to happen in some

circumstances, but we would normally expect any of those services to be delivered outdoors instead of people having to go into premises.

Church Services (Restrictions)

Mike Rumbles (North East Scotland) (LD): Has the First Minister seen the letter to her from more than 200 church leaders from across Scotland, who question whether, in completely closing down churches for public worship, she is consistent with her obligations under article 9 of the European convention on human rights? They simply ask the Scottish Government to provide them with the evidence that Covid-compliant church services that were operating safely were proven to be a significant source of the spread of Covid-19.

The First Minister (Nicola Sturgeon): It has just been drawn to my attention that Philip Tartaglia, the Archbishop of Glasgow, passed away this morning. I put on record my deep sadness at the news, and I am sure that everybody across the chamber shares that sadness. I send my deepest condolences to his loved ones and to everyone in his community.

The member’s question is serious and I take it seriously. I do not want to impose restrictions on anyone or on their ability to worship collectively. I know how important that is to people of faith—for their wellbeing and mental health and for the purposes of their faith.

We do not take any of these decisions lightly. This is a pandemic. At the stage we are at right now, we simply must, as far as we can, stop people coming together, which unfortunately includes in places of worship. The restrictions will not be in place for any longer than is absolutely necessary.

Church leaders and members of different churches have made representations to me that they want to see that re-thought, but I have also had representations from others in churches who say that they understand and think that, in the circumstances, the restrictions are appropriate and necessary.

These decisions are difficult, and that is perhaps one of the most difficult. The more we act collectively to suppress the virus, the quicker we will get out of the restrictions and get back to a degree of normality, including allowing people to take part in collective worship.

Respiratory Care Action Plan

Mark Ruskell (Mid Scotland and Fife) (Green): There are now more than 80,000 people on the shielding list due to the burden of lung disease. Can the First Minister commit to speeding up the delivery and funding of the respiratory care

action plan, so that we can get better recovery from lung disease while building resilience against Covid?

The First Minister (Nicola Sturgeon): I am not aware of any issue with the speed of the funding or the actions there, but I am happy to look into the matter and ask the Cabinet Secretary for Health and Sport to engage with the member on further actions that we might be able to take.

Category 3 Key Workers

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): The Deputy First Minister said earlier, responding to questions on his statement, that for category 3 key workers, who are essential to the economy, there will be differences in different geographical areas, which I understand. I have cases however, in which some employers are telling employees that they are key workers and that they should come to work. Those employees are therefore having to apply to the council for face-to-face teaching for their children, and the local authority is—correctly, in my view—rejecting those applications.

It seems to me that some employers are not acting within the law, let alone in its spirit. I ask whether the definition of category 3 key workers, who are essential to the economy, could be beefed up.

The First Minister (Nicola Sturgeon): Key worker childcare guidance was published this past week and is intended, obviously, to provide guidance and flexibility to councils in responding to local needs.

In summary, category 1 includes health and care workers who are supporting Covid, emergency and critical care; staff who are supporting childcare and learning; and priority energy supply workers. Category 2 includes other health and care staff; public sector workers who are providing emergency or critical services; and essential critical national infrastructure staff. Finally, category 3 covers people without whom there could be a significant impact on the country. Authorities must consider local needs when they apply those definitions, which may include prioritisation where there might be high demand.

I say to all employers that they should act in a way that does not generate unnecessary demand on places in schools. As we go through the next phase, we have to look carefully at the numbers in schools and make an on-going assessment of whether they are getting too high—to a point at which they undermine the whole point of schools not being open at present. Employers have a big part to play in that regard, and I ask them to do what I have set out. Employees should discuss any request for a place with their employer before

contacting their local council. As with everything, we will keep those categories under review.

The Presiding Officer: That concludes First Minister's question time.

Business Motions

13:45

The Presiding Officer (Ken Macintosh): The next item of business is consideration of business motion S5M-23849, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a business programme.

Motion moved,

That the Parliament agrees—

(a) the following programme of business—

Tuesday 19 January 2021

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Scottish Government Debate: Legislative Consent to the Covert Human Intelligence Sources (Criminal Conduct) Bill

followed by Stage 1 Debate: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill

followed by Stage 3 Proceedings: Protection of Workers (Retail and Age-restricted Goods and Services) (Scotland) Bill

followed by Financial Resolution: United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.55 pm Decision Time

Wednesday 20 January 2021

12.30 pm Parliamentary Bureau Motions

12.30 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Ministerial Statement: Update on Drugs Policy

followed by Scottish Labour Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.15 pm Decision Time

Thursday 21 January 2021 (Virtual)

1.00 pm Parliamentary Bureau Motions

1.00 pm Ministerial Statement: Scotland's Economic Performance: the contribution of place-based economic development zones

followed by Ministerial Statement: Rural Economy – Brexit

followed by Portfolio Question Time: Rural Economy and Tourism; Transport, Infrastructure and Connectivity; Justice and the Law Officers

followed by Stage 1 Debate: Culpable Homicide (Scotland) Bill

followed by Stage 1 Debate: Dogs (Protection of Livestock) (Amendment) (Scotland) Bill

followed by Business Motions

followed by Parliamentary Bureau Motions

5.15 pm Decision Time

Tuesday 26 January 2021

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions

followed by Ministerial Statement: COVID-19

followed by Stage 2: The Scottish Parliamentary Standards (Sexual Harassment and Complaints Process) Bill

followed by Stage 1 Debate: Domestic Abuse (Protection) (Scotland) Bill

followed by Financial Resolution: Domestic Abuse (Protection) (Scotland) Bill

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

4.40 pm Decision Time

Wednesday 27 January 2021

12.30 pm Parliamentary Bureau Motions

12.30 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Stage 2: Pre-release Access to Official Statistics (Scotland) Bill

followed by Scottish Conservative and Unionist Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

followed by Approval of SSIs (if required)

5.00 pm Decision Time

Thursday 28 January 2021 (Virtual)

1.00 pm Parliamentary Bureau Motions

1.00 pm Scottish Government Business

followed by Portfolio Question Time: Constitution, Europe and External Affairs; Economy, Fair Work and Culture; Education and Skills

followed by Stage 1 Debate: Post-mortem Examinations (Defence Time Limit)

(Scotland) Bill

followed by Stage 1 Debate: University of St. Andrews (Degrees in Medicine and Dentistry) Bill

4.45 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 18 January 2021, 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.—[*Graeme Dey*]

Motion agreed to.

The Presiding Officer: The next item is consideration of business motion S5M-23850, in the name of Graeme Dey, on behalf of the Parliamentary Bureau, which sets out a stage 2 timetable.

Motion moved,

That the Parliament agrees that consideration of the Pre-release Access to Official Statistics (Scotland) Bill at stage 2 be completed by 29 January 2021.—[*Graeme Dey*]

Motion agreed to.

Parliamentary Bureau Motion

13:46

The Presiding Officer (Ken Macintosh): The next item of business is consideration of Parliamentary Bureau motion S5M-23853, on committee meeting times. I call Graeme Dey, on behalf of the Parliamentary Bureau, to move the motion.

Motion moved,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Committee on the Scottish Government Handling of Harassment Complaints can meet, if necessary, at the same time as a meeting of the Parliament on Tuesday 19 January 2021 and Tuesday 26 January 2021 from approximately 3.30pm to Decision Time.—[*Graeme Dey*]

Decision Time

13:46

The Presiding Officer (Ken Macintosh): There is only one question to be put as a result of today's business. The question is, that motion S5M-23853, in the name of Graeme Dey, on committee meeting times, be agreed to.

Motion agreed to,

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Committee on the Scottish Government Handling of Harassment Complaints can meet, if necessary, at the same time as a meeting of the Parliament on Tuesday 19 January 2021 and Tuesday 26 January 2021 from approximately 3.30pm to Decision Time.

The Presiding Officer: That concludes today's business.

Meeting closed at 13:46.

This is the final edition of the *Official Report* for this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba