



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Meeting of the Parliament (Hybrid)

**Wednesday 9 December 2020**

**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](http://www.parliament.scot) or by contacting Public Information on 0131 348 5000

---

## Wednesday 9 December 2020

### CONTENTS

	<b>Col.</b>
<b>PORTFOLIO QUESTION TIME</b> .....	1
<b>ENVIRONMENT, CLIMATE CHANGE AND LAND REFORM</b> .....	1
Climate Emergency Response Group .....	1
Flood Defences (Local Authority Funding) .....	3
Fly-tipping .....	4
Net Zero Emissions Target .....	5
Climate Change Targets .....	6
Crown Estate Revenues .....	7
Environmental and Emissions Targets (Local Initiatives) .....	8
Recycling and Food Waste Collection Services .....	9
<b>RURAL ECONOMY AND TOURISM</b> .....	10
Covid-19 Christmas Restrictions (Holiday Accommodation) .....	10
<b>BUDGET UPDATE</b> .....	13
<i>Statement—[Kate Forbes].</i>	
The Cabinet Secretary for Finance (Kate Forbes) .....	13
<b>EDUCATION</b> .....	25
<i>Motion moved—[Jamie Greene].</i>	
<i>Amendment moved—[John Swinney].</i>	
<i>Amendment moved—[Iain Gray].</i>	
Jamie Greene (West Scotland) (Con) .....	25
The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney) .....	28
Iain Gray (East Lothian) (Lab) .....	30
Ross Greer (West Scotland) (Green) .....	32
Beatrice Wishart (Shetland Islands) (LD) .....	34
Elaine Smith (Central Scotland) (Lab) .....	35
Brian Whittle (South Scotland) (Con) .....	37
Clare Adamson (Motherwell and Wishaw) (SNP) .....	39
Alison Harris (Central Scotland) (Con) .....	40
Rona Mackay (Strathkelvin and Bearsden) (SNP) .....	42
George Adam (Paisley) (SNP) .....	43
Daniel Johnson (Edinburgh Southern) (Lab) .....	45
John Swinney .....	47
Oliver Mundell (Dumfriesshire) (Con) .....	49
<b>ECONOMY</b> .....	52
<i>Motion moved—[Maurice Golden].</i>	
<i>Amendment moved—[Jamie Hepburn].</i>	
<i>Amendment moved—[Alex Rowley].</i>	
Maurice Golden (West Scotland) (Con) .....	52
The Minister for Business, Fair Work and Skills (Jamie Hepburn) .....	54
Alex Rowley (Mid Scotland and Fife) (Lab) .....	58
Patrick Harvie (Glasgow) (Green) .....	59
Willie Rennie (North East Fife) (LD) .....	61
Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con) .....	62
Gordon MacDonald (Edinburgh Pentlands) (SNP) .....	64
Graham Simpson (Central Scotland) (Con) .....	66
Gillian Martin (Aberdeenshire East) (SNP) .....	67
James Kelly (Glasgow) (Lab) .....	69
John Mason (Glasgow Shettleston) (SNP) .....	70
Alex Rowley .....	72
The Minister for Public Finance and Migration (Ben Macpherson) .....	73
Murdo Fraser (Mid Scotland and Fife) (Con) .....	75
<b>CORONAVIRUS ACTS REPORT</b> .....	79
<i>Statement—[Michael Russell].</i>	
The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell) .....	79

<b>BUSINESS MOTIONS</b> .....	92
<i>Motions moved—[Graeme Dey]—and agreed to.</i>	
<b>PARLIAMENTARY BUREAU MOTIONS</b> .....	95
<i>Motions moved—[Graeme Dey].</i>	
The Minister for Parliamentary Business and Veterans (Graeme Dey) .....	95
Colin Smyth (South Scotland) (Lab) .....	95
<b>POINT OF ORDER</b> .....	99
<b>DECISION TIME</b> .....	100
<b>BUS SERVICES</b> .....	114
<i>Motion debated—[Graham Simpson].</i>	
Graham Simpson (Central Scotland) (Con) .....	114
Stewart Stevenson (Banffshire and Buchan Coast) (SNP) .....	117
Colin Smyth (South Scotland) (Lab) .....	118
Angus MacDonald (Falkirk East) (SNP) .....	120
Monica Lennon (Central Scotland) (Lab) .....	121
The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse) .....	123

---

# Scottish Parliament

Wednesday 9 December 2020

[The Presiding Officer opened the meeting at 14:00]

## Portfolio Question Time

### Environment, Climate Change and Land Reform

**The Deputy Presiding Officer (Christine Grahame):** Good afternoon. I remind members to observe social distancing and so on when they are in the chamber and moving around the campus.

The first item of business is portfolio question time. We begin with questions on the environment, climate change and land reform. Members in the chamber who wish to ask a supplementary question should press their request-to-speak button; those who are contributing remotely should put “R” in the chat function.

#### Climate Emergency Response Group

1. **Jamie Greene (West Scotland) (Con):** To ask the Scottish Government what its response is to the climate emergency response group’s interim assessment of progress report, which was published in November 2020. (S5O-04825)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** I am delighted that 90 per cent of this Government’s climate emergency response has been rated as meeting or making progress towards meeting the CRG’s proposals, with the group noting the disruptive impact of Covid-19.

Our 2020-21 programme for government demonstrates our commitment to building a green recovery with transformative investment, including £1.6 billion for heat and energy efficiency and the £100 million green jobs fund.

I welcome the CRG’s contribution as an opportunity to reflect on our work to deliver a green recovery and a just transition to net zero, especially as we finalise our climate change plan update.

**Jamie Greene:** The CRG also identifies in the report 14—out of 20—key proposals about which it has concerns, either about the pace of progress or about there being critical gaps in the proposals. That is not just down to Covid. The report states:

“we were disappointed there was not more progress in the development of policies and programmes in the months before the pandemic, losing valuable time.”

What is the minister’s assessment of why so many key policy areas have been missed? Can she confirm when the Government will deliver the key recommendations, as outlined in the report?

**Roseanna Cunningham:** I do not recognise Jamie Greene’s characterisation of our response to the CRG’s asks. We have been working closely with the group over a considerable time to ensure that we can progress all aspects, which we both agree are absolutely necessary.

However, Jamie Greene should, of course, be aware that there are always issues and concerns about particular matters that might make progress slower in some areas than it is in others. That is only to be expected.

The climate change plan update, which will be published soon, will deal with a number of other aspects, so the member might want to look out carefully for that. However, I believe that Scotland is making excellent progress; indeed, the CRG accepts that.

**The Deputy Presiding Officer:** We have two brief supplementary questions.

**Claudia Beamish (South Scotland) (Lab):** Will the cabinet secretary set out when the £11 billion of annual public procurement money will be mobilised to support the climate emergency response? That aspect received a red rating in the CRG’s interim report. That is absolutely key to supporting—

**The Deputy Presiding Officer:** No—stop. I said a brief supplementary. We will stop at the question about the £11 billion, please.

**Roseanna Cunningham:** As Claudia Beamish knows well, that issue extends beyond my portfolio. I am aware that the CRG flagged procurement as one of the areas in which not enough has been done.

However, we continue to underpin our commitment with significant action. The CRG’s assessment on procurement does not reflect the innovative legal and policy levers that we have already embedded to drive climate ambition in that area; nor does it reflect that much of what needs to be done cannot be done by the Government alone or through procurement alone. We are urging strong leadership through a range of channels. Of course, that is one of the areas that have been hit hard by Covid.

**Gillian Martin (Aberdeenshire East) (SNP):** As the United Kingdom prepares to turn its back on our European Union neighbours, how will the Scottish Government ensure that our climate efforts continue to be co-operative, inclusive and international, even in the face of Brexit?

**Roseanna Cunningham:** In the face of the unwanted Brexit, Scotland remains a strong believer in international co-operation and is committed to working with Governments at all levels to drive a just transition to a net zero world.

We will continue to work closely with a diverse array of Governments and organisations to achieve our collective goals. We will not accept being cut off from our friends in Europe and the world, and we will work with our international partners to deliver an ambitious, inclusive and successful 26th conference of the parties—COP26—in Glasgow next year, including as European co-chair of the Under2 Coalition.

#### **Flood Defences (Local Authority Funding)**

**2. Annabelle Ewing (Cowdenbeath) (SNP):** To ask the Scottish Government what the allocation formula will be for local authority funding for flood defences. (S5O-04826)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** Funding for flood schemes is linked to the prioritisation of actions that is set out in the flood risk management strategies and plans that are developed by the Scottish Environment Protection Agency and local authorities, in collaboration with other relevant bodies.

The next round of strategies and plans will set out the work that needs to be prioritised for action by local authorities within the 2022-28 flood risk management cycle to reduce the risk of flooding to our communities. No decisions have yet been made on what the allocation formula will be for actions that are prioritised in that next round of strategies and plans.

**Annabelle Ewing:** The cabinet secretary will be aware of the significant incidents of flooding in my Cowdenbeath constituency—in Cardenden, Rosyth, Dalgety Bay—and across Fife. Does she therefore consider that Fife should be a priority for flood risk management investment? How will the United Kingdom Government's proposed 5 per cent cut to the Scottish Government's capital budget impact on the level of funding that will be available?

**Roseanna Cunningham:** I am aware of the flooding in Cowdenbeath and wider Fife, and my sympathies go out to all those who have been impacted by it. As I indicated in my earlier answer, SEPA and local authorities are currently reviewing and updating the strategies and local plans. Those will be published for consultation next year and will set out the work that needs to be prioritised. The 14 strategies and plans will ensure long-term planning to manage flood risk, which will include consideration of what actions will need to be prioritised in Fife, and funding for them.

Capital investment can have one of the greatest positive impacts on economic growth, so a cut at this time is especially harmful. However, despite the UK Government's decision to cut the capital budget, the Scottish Government will proceed with the plans that we have recently set out, which include investment in flood risk management of an extra £150 million over and above the £42 million that has already been committed, which is provided annually to councils.

#### **Fly-tipping**

**3. Alexander Stewart (Mid Scotland and Fife) (Con):** To ask the Scottish Government what discussions it is having with local government regarding fly-tipping during the Covid-19 pandemic. (S5O-04827)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** I wrote to the member last week about the action that we are taking against fly-tipping, but I am content to reiterate that fly-tipping is illegal, dangerous and unnecessary, and that we continue to work with local authorities and key partners on a range of prevention and mitigation activities.

At national level, our waste management marketing campaign and web resource set out how the public can manage waste at this difficult time, and they include messages on fly-tipping prevention. In addition, the Scottish Environment Protection Agency has been taking action to ensure that those who offer waste collection services have the correct permits to do so.

We plan to invite key stakeholders—who will, of course, include local authorities—to a round-table discussion in the new year to discuss proposals for future action on fly-tipping.

**Alexander Stewart:** In her written response to me, the cabinet secretary mentioned the dumb dumpers campaign's national tool for reporting fly-tipping, which is run by Zero Waste Scotland. However, there is still frustration about the scale of underreporting nationally, with some councils estimating that reports through the dumb dumpers campaign reflect only 8 per cent to 10 per cent of actual instances of fly-tipping. Although I appreciate the efforts that the cabinet secretary and stakeholders are making to tackle the issue, the fragmented approach across local authorities is creating a postcode lottery.

**The Deputy Presiding Officer:** Get to your question, please.

**Alexander Stewart:** I ask the cabinet secretary to join me, NFU Scotland and others in calling for the creation of a national database for fly-tipping.

**Roseanna Cunningham:** In response to the concerns that have been expressed, we have worked with partners, through the waste and resources sector forum, to consider current and future measures. A range of actions, local and national, have been or are being progressed by SEPA through householder communications and enforcement measures to tackle illegal waste carriers. An enormous amount of good work is being done right across the sector; I pay tribute to all those who are involved in it.

Legal responsibility for tackling littering and fly-tipping remains with local authorities, public organisations and landowners. However, as I have indicated, because of the level of on-going interest in the subject, at our meeting in January we will be open to discussing all key proposals for future action on fly-tipping.

I remind everybody that fly-tipping is undertaken by individuals who need to take more responsibility for their own actions.

### Net Zero Emissions Target

4. **David Torrance (Kirkcaldy) (SNP):** To ask the Scottish Government whether it will provide an update on its progress in meeting its target of achieving net zero emissions of all greenhouse gases by 2045. (S5O-04828)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** Scotland's emissions in 2018 were down by 50 per cent from the 1990 baseline, which is halfway to net zero. Scotland continues to lead the United Kingdom as a whole and is second only to Sweden in western Europe for emissions reductions.

As the United Kingdom Committee on Climate Change put it in its recent Scottish progress report:

"The Scottish economy has decarbonised more quickly than the rest of the UK and faster than any G20 economy since 2008. Emissions have fallen rapidly while the economy has grown."

**David Torrance:** Central heating is responsible for up to a third of greenhouse gas output, which is a challenge that must be met as we work towards net zero targets. The green hydrogen project, H100 Fife, is the world's first hydrogen network and will bring 100 per cent renewable hydrogen into homes in Levenmouth. It will provide zero-carbon fuel for heating and cooking and will put Levenmouth at the forefront of the clean energy revolution. Does the cabinet secretary agree that hydrogen has a major role to play in helping us to achieve net zero emissions by 2045?

**Roseanna Cunningham:** Decarbonising Scotland's heat supply while maintaining affordability for customers is a critical part of

delivering a successful energy transition and a fundamental step towards achieving our net zero ambitions.

Hydrogen has the potential to replace direct use of natural gas for domestic and commercial spaces and for water heating in some areas of Scotland. Projects such as the H100 Fife project, to which we have granted £6.9 million, will be vital in accelerating our efforts to understand more about the costs of hydrogen systems in comparison to other options and how hydrogen systems would be safely constructed, integrated and operated.

**Maurice Golden (West Scotland) (Con):** The climate emergency response group highlighted the lack of progress in tackling climate change and said:

"A culture change is required with leadership at all levels".

Does the cabinet secretary accept that that must include Government ministers?

**Roseanna Cunningham:** Of course—it includes absolutely everybody in the chamber, everybody who works in the Parliament and every individual across Scotland: nobody is exempted. However, nobody can do it on their own.

**The Deputy Presiding Officer:** We have a supplementary question from Ruth Maguire. Keep it brief, please.

**Ruth Maguire (Cunninghame South) (SNP):** Can the cabinet secretary offer an update on when she intends to publish the climate change plan update and Scotland's indicative nationally determined contribution? I know that they have been welcomed by Scotland's environmental non-governmental organisation community ahead of the 26th conference of the parties—COP26.

**Roseanna Cunningham:** Both of those things will be published in the very near future.

**The Deputy Presiding Officer:** That is lovely. Thank you for the brevity.

### Climate Change Targets

5. **Jeremy Balfour (Lothian) (Con):** To ask the Scottish Government whether it will provide an update on whether it has met its climate change targets that were set during session 3 of the Parliament. (S5O-04829)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** The emissions reduction targets that have been set by this Parliament—including by the member's party, of course, which voted for them—are the most ambitious in the world.

Since the passing of the Climate Change (Scotland) Act 2009, nine annual targets have been reported on. Those for the years 2014 to 2016 were met; those for 2010 to 2013 and 2017 to 2018 were missed. It is always disappointing to miss a target, but these world-leading targets are intentionally set to provide an extremely stretching pathway to net zero, and it is long-term progress that is most important. I refer the member to my earlier answer on the progress that Scotland is making.

**Jeremy Balfour:** I thank the cabinet secretary for her answer, but the target to provide 11 per cent of heat demand from renewables by 2020 was set in November 2009 by the Scottish National Party Government and was voted for by the Parliament. Over the past 11 years, we have seen some small progress but nowhere near enough to come even close to the 11 per cent target. In 2019, only 6.5 per cent of heat came from renewables. Is that not just another example of the SNP Government talking a good game but never delivering anything?

**Roseanna Cunningham:** I refer the member back to the direct quote I gave earlier from the Committee on Climate Change. Scotland has made remarkable progress right across the board, including in decarbonising its energy sector. I am sorry that the Conservatives do not seem able to bring themselves to recognise that.

**Sarah Boyack (Lothian) (Lab):** What action will the Scottish Government take to ensure that the journey towards net zero and low-carbon heat does not push more families into fuel poverty, given that the house condition survey figures that were released last week showed that one in four Scottish households was still living in fuel poverty before the pandemic?

**Roseanna Cunningham:** That is one of the key issues that we discuss regularly and that the just transition commission is looking at carefully. The issue has implications for the way in which we make decisions. We cannot make decisions that, on paper look, to be absolutely the right thing to do for the climate but that will necessitate real upset and deprivation for many people. We are absolutely keeping an eye on that balance. Obviously, that involves not just my portfolio but a number of other portfolios across the Government.

### **Crown Estate Revenues**

**6. Dr Alasdair Allan (Na h-Eileanan an Iar) (SNP):** To ask the Scottish Government what assessment it has made of the impact of the devolution of Crown estate revenues to coastal communities. (S5O-04830)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna**

**Cunningham):** No assessment has been made to date of the impact of the funding provided to local authorities from Scottish Crown estate revenues, as that information is only starting to become available. We will undertake the appropriate assessment and will publish details once the necessary information is fully available.

**Dr Allan:** I have been able to see the real benefits in my community when Crown estate revenues helped to form part of an emergency fund to save many worthwhile charities that were affected by a recent subsea cable break. How have Crown estate revenues been used to help businesses and third sector organisations that have been more broadly affected by Covid?

**Roseanna Cunningham:** We have been doing everything that we can to support those affected by Covid, including people and businesses in our coastal areas, which are often reliant on tourism. That is why we widened the remit of the coastal communities fund to include Covid relief and agreed with the Convention of Scottish Local Authorities that the allocations that have already been provided to local authorities to date can be carried over into 2021-22. By relaxing the rules for the use of the Crown estate revenues, we are enabling local authorities to use those funds to directly support local coastal businesses, including third sector organisations that are facing the full force of the economic shock from the pandemic.

### **Environmental and Emissions Targets (Local Initiatives)**

**7. Linda Fabiani (East Kilbride) (SNP):** To ask the Scottish Government what importance it places on local initiatives to reach environmental and emissions targets in the surrounding communities. (S5O-04831)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** The Scottish Government recognises that local communities have made, and will continue to make, a huge contribution to reaching environment and climate targets. That is reflected in our programme for government, in which we committed to build on our climate challenge fund by developing community climate action hubs, and to support the development of 20-minute neighbourhoods, both of which will support local areas to contribute to the transition to net zero and to live in better and greener communities. We will also introduce low-emission zones in our four biggest cities to improve local air quality, and we have provided an additional £1 million to build on our successful Scotland loves local campaign.

**Linda Fabiani:** The cabinet secretary will be aware of local initiatives such as Smart Sustainable East Kilbride, which exists to revitalise



the town and promote zero-carbon initiatives. It has already achieved some success. Does the cabinet secretary agree that local initiatives are extremely important in this regard, and will she encourage colleagues in local government and national Government agencies to recognise such initiatives' worth, support their efforts and confirm that a small investment often brings about substantial reward?

**Roseanna Cunningham:** I agree with Linda Fabiani on the importance of organisations such as Smart Sustainable East Kilbride. I feel that, in pre-Covid times, the question would have been followed by a request that I visit the organisation and by my accession to that request, but, unfortunately, we cannot do that in the current circumstances. It has been successful in driving forward East Kilbride as a centre of low-carbon innovation and in providing green jobs training for local people. I recognise the importance of local initiatives in our national endeavour towards net zero emissions by 2045, and I will continue to advocate for collaboration between local and national agencies on such efforts.

To demonstrate our commitment to localism, we are developing the climate action towns initiative, alongside undertaking the town centre action plan review, which places emphasis on how Scotland's town centres can contribute towards our climate ambitions.

### **Recycling and Food Waste Collection Services**

8. **Patrick Harvie (Glasgow) (Green):** To ask the Scottish Government what action it is taking to ensure that recycling and food waste collection services suspended by local authorities due to the pandemic are resumed. (S5O-04832)

**The Cabinet Secretary for Environment, Climate Change and Land Reform (Roseanna Cunningham):** Local authorities have worked hard to maintain essential waste and recycling collections through the pandemic while making significant operational changes to ensure safe working. I want to thank all involved for their efforts.

The vast majority of local authorities have reinstated those recycling and food waste collection services that were temporarily suspended at the outset of the crisis. Only three councils report challenges in reinstating separate kerbside recycling or food and garden waste collections.

We continue to engage actively with the Convention of Scottish Local Authorities, local authorities and other partners to identify and address remaining challenges to waste service provision.

**Patrick Harvie:** The cabinet secretary is probably aware that, instead of reinstating its back-court food waste collection services, Glasgow City Council is removing food waste bins from back courts and expecting people to use bring sites instead, which will inevitably lead to large amounts of food waste going straight to incineration. Is that happening because the requirements on local authorities are too lax and permit that, or is Glasgow City Council breaching the requirements that exist on it?

**Roseanna Cunningham:** I am aware that Glasgow City Council is one of the three councils that are continuing to have difficulty in reinstating their recycling and food waste collection services. Local authorities remain responsible for, and are best placed to make decisions on, the provision of local waste services, taking account of their legal duties to provide a comprehensive recycling service for households and any short-term pressures that the pandemic has caused. I am sure that Patrick Harvie would be quick to condemn me if I tried to override local authorities' responsibilities in any area.

I am aware that Glasgow City Council has recently undertaken a trial for flats in tenements in north-west Glasgow, which is intended to allow the council to assess alternative means of delivering food waste collections. It will be for the council to consider the results of any such trial and to decide on the best model for fulfilling the legal requirement to provide food waste collection in the future.

**The Deputy Presiding Officer:** That concludes questions on the environment, climate change and land reform.

### **Rural Economy and Tourism**

#### **Covid-19 Christmas Restrictions (Holiday Accommodation)**

1. **Colin Beattie (Midlothian North and Musselburgh) (SNP):** To ask the Scottish Government what guidance it is providing to the holiday accommodation sector regarding the relaxation of the Covid-19 restrictions over Christmas. (S5O-04833)

**The Deputy Presiding Officer:** I call the Cabinet Secretary for Rural Economy and Tourism, Fergus Ewing.

Ms Cunningham will be relieved to hear that I do not expect her to answer the questions on rural economy and tourism.

I will have to suspend the meeting briefly while we connect with Mr Ewing.

14:22

*Meeting suspended.*

14:26

*On resuming—*

**The Deputy Presiding Officer:** We resume business. Mr Ewing, will you say something, so that I know that we can hear you?

You are muted, Mr Ewing. Can you hear us? You cannot. I will suspend the meeting again.

14:27

*Meeting suspended.*

14:28

*On resuming—*

**The Deputy Presiding Officer:** We resume again. Mr Ewing, can you hear me?

**The Cabinet Secretary for Rural Economy and Tourism (Fergus Ewing):** Hello?

**The Deputy Presiding Officer:** I thought that you were going to get a round of applause there, but members in the chamber are mean spirited. [*Applause.*] Ah—I thank members for giving Mr Ewing a round of applause. We were struggling to—

**Fergus Ewing:** Hello?

**The Deputy Presiding Officer:** Oh—you cannot hear me. I will suspend the meeting again.

14:29

*Meeting suspended.*

14:30

*On resuming—*

**The Deputy Presiding Officer:** [*Inaudible.*]—off-and-on business. I suggest that we move on to the next item of business—the ministerial statement on the budget update—after a short pause to get the speakers here. We can then try to get back to portfolio questions, because we cannot have this nonsense.

I think that that makes sense. I ask members to bear with me.

**Johann Lamont (Glasgow) (Lab):** On a point of order, Presiding Officer. I appreciate how difficult this is for everyone, but other meetings have been arranged for me this afternoon on the basis that I would ask my question now and would then leave. Will you advise on when you will be able to update us and when we will be required back in the chamber?

**The Deputy Presiding Officer:** I will do that as soon as I can. Obviously, things are ad hoc at the moment. Once we have had the next item of business, I will be in a better position to know how Fergus Ewing is placed.

We will try to have portfolio questions when relevant members are here, as we will the coming debate. We will try to accommodate you, Ms Lamont, and any other member who has a portfolio question.

**Johann Lamont:** No one would want to be disrespectful by not being in the chamber. I am sure that you appreciate the position that we are in, Presiding Officer. Dialogue between members and the chamber desk would be appreciated.

**The Deputy Presiding Officer:** There certainly will be such dialogue. We will get the situation in hand. It is not the end of the world; it is just a small hiccup.

**Liz Smith (Mid Scotland and Fife) (Con):** On a point of order, Presiding Officer. I am sorry to be difficult, but I have a question about whether the people who are in—[*Inaudible.*]

**The Deputy Presiding Officer:** We are back to the problem with your card, Ms Smith. A bit of sabotage is going on. You will have to move seats and put your card in somewhere else, because what we say has to be on the record.

**Liz Smith:** On a point of order, Presiding Officer. I am sorry to be difficult, but I have a question on behalf of those members who are following on, particularly as the next item is a statement. Will they have had sufficient time to read the copy that will have been given to them with prior notice?

**The Deputy Presiding Officer:** I will find that out. Like you, I am finding out as we go along. I will let you know.

**Jackie Baillie (Dumbarton) (Lab):** On a point of order, Presiding Officer. I wish to be helpful. Members have not yet received a copy of the statement, with less than 20-odd minutes to go. That is unfortunate.

**The Deputy Presiding Officer:** Well, yes. I did not know that, but I do now.

I suspend the meeting for 10 minutes so that we can get some order back into the afternoon.

14:34

*Meeting suspended.*

14:50

*On resuming—*

## Budget Update

**The Deputy Presiding Officer (Christine Grahame):** We resume, seamlessly, and move to the next item of business, which is a statement by Kate Forbes on the budget update. The cabinet secretary will take questions at the end of her statement so there should be no interventions or interruptions.

**The Cabinet Secretary for Finance (Kate Forbes):** I apologise at the outset for the late advanced sharing of the statement with Opposition members. I have great confidence in them still being able to ask intelligent questions.

I welcome the opportunity to provide a further update on the budget, continuing my commitment to engage with Parliament on the funding that is being provided to support the Covid-19 response following the unprecedented summer and autumn budget revisions. I will also take the opportunity to outline further support for business that will be available in January for hard-pressed companies across a range of sectors.

Since the autumn budget revision, consequential support provided now stands at £8.2 billion. We have drawn down and allocated that funding during the year in response to what has been an exceptional and dynamic set of circumstances. In budget revisions so far, more than £6 billion of funding has been formally allocated, the largest elements being provided to health and business, reflecting the fact that Covid-19 most directly impacts health and the economy.

In line with a letter that I sent to the Finance and Constitution Committee yesterday, I can confirm that we now expect to allocate the remaining £2.2 billion. I must remind Parliament that this, of course, remains a snapshot of a dynamic funding position, with formal allocations planned to be set out in February in the spring budget revision. Taking account of announcements that have been made so far this year, as well as expected requirements to the end of the year, I can confirm that the expected allocations will be as follows.

Around £600 million is to be allocated to health and social care, wider public health initiatives and welfare support. That includes vaccinations, test and trace and the £500 bonus for health and social care workers, plus the winter plan for social protection that helps people to pay for food, heating, warm clothing and shelter.

Second is the support for business and the wider economy totalling £570 million, including funding for the strategic framework, local business support packages, the newly self-employed

hardship fund and local authority discretionary business funding. It also includes a new and targeted business support package that I am announcing today.

An estimated £139 million of previously announced funding is to be allocated to local government, bringing the overall support package to councils to more than £1 billion.

Last, but not least, approximately £500 million is to be allocated to support transport services and cover pandemic-related income shortfalls within organisations such as Police Scotland, the Scottish Funding Council and the Scottish Courts and Tribunals Service.

That leaves just over £300 million of Covid-19 resource consequentials formally unallocated. The nature of the Covid-19 outbreak and potential asks for further demand-led spend mean that it is crucial that that funding is held as contingency. We must also consider any further funding requirements relating to the end of the European Union exit transition period on 31 December, with costs being wholly dependent on the final deal to be negotiated by the United Kingdom Government. Allocating that funding as contingency is consistent with the terms of the funding guarantee that was provided by HM Treasury to the devolved Governments, which specified that the funding was to cover the period until March 2021. Of course, with our limited borrowing powers, we do not have the flexibility to increase spend and therefore must manage demand-led expenditure risks within the consequentials provided.

The Scottish Government remains focused on responding concurrently to the public health emergency and the economic emergency that have been caused by the virus. Many businesses that have been affected by pandemic restrictions have been able to access Scottish Government support grants totalling more than £2.3 billion, including the strategic framework business fund's four-weekly payments, the £15 million second phase of the newly self-employed hardship fund and the £30 million local authority discretionary fund. I know that businesses need and want more support, and we will continue to review and refine our Covid support offer, within available resources.

Today, I am pleased to confirm an allocation of £185 million for new and additional business support in the new year, providing support on a sector-by-sector basis so that it is appropriately targeted. We listen, and have listened, to the voice of business. With a range of partners including local authorities, we are developing grant schemes for hospitality, the events sector, live music and cultural venues, the arts and indoor football centres, and to support our food and drink sector, including £1.8 million for brewers. We will be

supporting recovery plans developed in partnership with the construction sector and with the tourism sector, including self-catering, bed and breakfasts and guest houses.

Doing that on a sector-by-sector basis can add complexity, but it ensures that we tailor the support so that it is as effective as possible. The finer detail of each of the schemes will be provided soon, including how to apply in January. Today, I want to highlight a few examples of the types of business that we will support.

I am pleased to say that we will give £1.5 million to travelling showpeople who are ineligible for other support. I pay tribute to Richard Lyle, in particular, for his advocacy for and representation of that sector.

We have allocated £15 million for the wedding sector and supply chain, including wedding photographers, and we will seek to ensure that those who have had little or no support since March are targeted. I am pleased to say that, in developing that approach, we have been working closely with a newly established group that has been formed in the past few weeks to lobby for and represent that important and diverse sector and its supply chain. That collaboration will continue and it is typical of the way in which we work with a range of business bodies to understand and shape the support that best meets the needs of their members within the available resources. They are trusted partners.

There is also £5 million for travel agents, £1.5 million for visitor attractions and almost £6 million for coach companies and tour operators. We will help to support taxi drivers' fixed costs with a new £19 million fund and a one-off grant that builds on the support that is already available. We will similarly support mobile close-contact services such as hairdressers with one-off grants from a £15 million budget.

Tourism is one of the hardest-hit sectors and I can announce that further support of more than £60 million will be provided. The detail of that package of support is being developed in consultation with the industry and the full details will be announced by Fergus Ewing.

Today's announcement will help local authorities to begin to make their individual decisions about how they will use the £30 million discretionary fund that I referenced earlier, taking account of the sectors that we are supporting and making considered local determinations on where to target their new resources.

The distribution of the discretionary fund will be a decision for each local authority—that is the whole purpose of it. We have allocated the money and agreed high-level guidance; it is now over to local authority leaders to determine how to spend

it on local needs. I am grateful to local authorities across the country that have been working with us as key design and delivery partners, with a shared determination to do all that we can to support businesses, jobs and communities.

Before I conclude, I want to make one further comment. The first month of any new year is always challenging for the hospitality sector. Demand tends to be low following the festive season. In recognition of that, additional one-off payments will be available to the hospitality businesses that have played such a significant role in the fight against the virus and have been impacted so severely. The grants will be of £2,000 or £3,000, based on rateable values, and that support, which is valued at £30 million, will also extend to our hotels and be on top of any payment that is due in January as part of the strategic framework business fund, in recognition of the challenges that many are facing at this time.

Budget revisions to date, as well as today's statement, illustrate my continued transparent engagement with Parliament regarding our fiscal response to Covid-19. Within our available budgetary envelope, we have looked to mitigate the impact of Covid as far as possible and provided support based on need in Scotland in areas such as health and wider public health initiatives, welfare support, continued provision of transport and the economy.

Today, we continue to illustrate our support for the economy and our hard-hit businesses with further support of £185 million across impacted sectors. A statement such as this is not the place to get into minute detail on each of the funds available, but I encourage businesses to keep an eye on the [findbusinesssupport.gov.scot](http://findbusinesssupport.gov.scot) website for details in the coming days—and in January, in particular.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I thank the cabinet secretary for advance sight of her statement—albeit on a rather shorter timescale than what we are used to, but nevertheless we received it—and for the statement itself.

The UK Treasury has guaranteed an additional £8.2 billion—an unprecedented sum—to support public services, businesses and individuals in Scotland that have been impacted by the Covid-19 pandemic. That money does no one any good while it is sitting in the Scottish Government's bank accounts, and we have consistently called for it to be paid out and for an accounting, so I welcome the breakdown that we have heard today. I welcome the commitments that have been made, specifically the sum of £15 million for the wedding sector, which we had called for, and the money for the travel and tourism sector, taxi companies and all the other initiatives.

I have three specific questions in relation to what has been announced today. First, can the cabinet secretary confirm that the tourism money will be available to support providers of self-catering holiday accommodation? She said that details will be announced in due course by Fergus Ewing. When can we expect that announcement? Many people are waiting for confirmation of when those funds might be available.

Secondly, the cabinet secretary referred to the £30 million discretionary fund for local councils. I know that local councils have now been waiting for three weeks to get details of how the fund will operate. How much discretion will they have in how the money is allocated? If tourism is a major part of the local economy, for example, will a council be able to allocate funds to that sector, notwithstanding the fact that a dedicated sum for tourism is already accounted for—

**The Deputy Presiding Officer:** Please ask your question quickly, Mr Fraser.

**Murdo Fraser:** Thirdly—and quickly, Presiding Officer—we have, in the past few days, heard welcome commitments from large retailers such as Tesco and Morrisons to hand back some of the non-domestic rates refunds that they have received this year. That is a good example of responsible capitalism. Does the cabinet secretary have a figure for the amount of money that is expected to be recouped? Has that money been allocated as yet?

**Kate Forbes:** I thank the member for that series of questions; I will answer them as quickly as I can.

On the tourism money, our approach to date has always been to design those schemes in partnership with the individual sectors. For example, the hotel recovery group was set up in conjunction with the Scottish Tourism Alliance, and on self-catering, we have worked in conjunction with the Association of Scotland's Self-Caterers. We intend to take the same approach now. I referred to self-catering because we intend to provide funding to self-catering as part of the money that was announced.

With regard to the discretionary fund, one of the reasons for making an announcement today was to give councils an indication of where we will provide sector-based support so that they can use their discretionary funding for other purposes. That money needs to be targeted to their local area. For example, business need on the Isle of Skye will be different from business need in the middle of Glasgow, so we want to allow maximum discretion. During the past three weeks, the Convention of Scottish Local Authorities has agreed internally how it wants to distribute the

fund, and we have then agreed the general guidance, which is as high level as possible.

On the non-domestic rates relief money that will be returned to us, I wrote today to the Chief Secretary to the Treasury to seek urgent clarity. If those funds are to be collected centrally by the Treasury, we need clarity on how they will be redistributed to the devolved Governments. In the past few days, there have been a lot of calls with the Treasury to understand what is happening. Not all devolved Governments can actually receive the money—it is essentially a donation, and donations are not normally made to Governments, so clarity is required on how those refunds will be made.

As I have done in the past and will do again, I encourage anyone who is in a similarly resilient position to that of Tesco and other supermarkets to consider whether they can contribute to those funds.

**Jackie Baillie (Dumbarton) (Lab):** A month ago, Scottish Labour demanded additional resource for the hospitality and tourism sector, and last week we asked for support for small businesses, so I am pleased that the Scottish Government has now acted.

However, many businesses have received no help from the coronavirus restrictions fund or the hardship fund, and no support from the strategic framework business fund, because the criteria are too tight. Most supply-chain businesses, and those without premises, have been excluded, so I welcome the flexibility on criteria.

How much has been spent on those funds so far? Why do businesses have to wait until January to get support when many of them are struggling and going to the wall now? Does the cabinet secretary believe that that support will be enough to help businesses to survive?

**Kate Forbes:** I will start with the last question first. As I have said repeatedly, I recognise that those funds and grants will never replace 100 per cent of lost income. The challenge now is to try and get the economy back open, running and trading by suppressing the virus. That is our objective.

Members from across the chamber have made calls on additional support for business, so I am pleased to hear Labour welcoming today's announcement.

Regarding the funds that have been paid, local authorities are working almost night and day to get those funds out to businesses that need them. The funding that I have announced is over and above the strategic framework of recurring grants, and some of the announcements have already started to be made. The member mentioned supply chains, and she may recall the announcement on

Friday of additional support for wholesalers, who can apply for specific support where their income has been reduced.

The other funds will be available as quickly as possible. There have been many calls to replicate what the Welsh Government is doing—it is making most of its funding available in January, too. That allows the strategic framework businesses to receive funding from local authorities while we ensure that any additional designing that needs to go into the schemes, in conjunction with business organisations, can be done, and that the schemes are ready to go. January is indeed well known as one of the hardest months for hospitality.

**The Deputy Presiding Officer:** Twelve members wish to ask questions. They should be succinct, because we must finish this item of business at 3.20.

**Patrick Harvie (Glasgow) (Green):** On 18 November, Parliament voted for a motion that called on the Government to deliver funding for the purpose of recruiting at least an additional 2,000 full-time teachers. Given teachers' additional workload, that is clearly urgent. The cabinet secretary's statement did not include that funding. Does that mean that the decision has been taken not to comply with the will of Parliament on that, or is an announcement imminent on providing the funding that has been clearly called for?

**The Deputy Presiding Officer:** I am not sure whether that is a question for you, cabinet secretary, but it is up to you.

**Kate Forbes:** I am happy to answer, in so far as I believe that the Deputy First Minister, who is sitting next to me, is taking part in a debate next.

The funding breakdown that I have provided to date includes not just funding for businesses but, under the terms of the letter that was sent yesterday to the Finance and Constitution Committee, funding for other areas. Additional funding has already been made available to the education sector to try and deal with the additional challenges that it faces.

**Willie Rennie (North East Fife) (LD):** We have worked constructively with the finance secretary on additional support for businesses, and I am glad that she has listened to many of the specific pleas, including on travel agencies and self-catering, and also regarding taxi companies. What is not so clear is the real value of that support per business. I know that the cabinet secretary will probably not go into the fine detail, but could we have a rough estimate of how much each business could expect to receive? Given that many businesses are already on their knees, can she guarantee or give some kind of commitment that the money will get out the door pretty quickly?

**Kate Forbes:** On that last point, I can confirm that we will get that money out as quickly as is humanly possible, so as to provide that support.

As I said in my statement, one of the challenges with acting on a sectoral basis is that it is more complex, although it allows us to use every penny on the hardest-hit businesses, rather than having any funding used in ways that are not necessary right now.

Willie Rennie spoke about travel agents, and that funding is part of a general fund for coach operators, brewers, visitor attractions, visitor accommodation, hostels and indoor football. That funding will be distributed by local authorities. We will be determining what the grant amounts are, but they would probably be in the region of a £10,000 grant to those businesses that are in need.

**Stuart McMillan (Greenock and Inverclyde) (SNP):** Will the finance secretary consider additional resources for communities that have been hit the hardest by Covid-19 to help them and their local economies return to a trading position that is more recognisable?

**Kate Forbes:** Throughout the pandemic we have tried to take decisions based not only on assessment of the public health issues that are presented by Covid-19, but on judgments around the social and economic harms, too. That is reflected in a number of our interventions so far, which have included packages of support for business and welfare. One of the first announcements that we made, as soon as a case of Covid was found, was the £350 million for welfare support through local authorities.

I can assure Stuart McMillan that I will take that line of thinking into the budget, including in my dialogue with partners in local government. A range of uncertainties, challenges and financial constraints exist and will impact on the budget, but we will do all that we can to help businesses through those exceptional, difficult times and try and provide as much support as we can. If any member, including Stuart McMillan, has specific ideas that they want me to consider, I am always happy to meet them.

**Maurice Golden (West Scotland) (Con):** Support for the wedding sector supply chain and taxi drivers is welcome, but many of those businesses have faced severe restrictions since 9 October, are on their knees and will struggle to survive. Will the cabinet secretary confirm that new support schemes will be backdated to the beginning of the autumn?

**Kate Forbes:** With regard to that date, the funding that I have announced today is obviously built on the basis of additional financial consequentials that came from the UK

Government that were announced only in the first week of November.

I said in my statement that I want to design the schemes with the business organisations that are most impacted. That work has already started; we are halfway through it. The wedding sector is a good example of a sector wherein a group represents its different interests and will ensure that funding goes to those who need it. Some hotels, for example, have already received funding; other businesses will have received funding through other schemes. It is important that the funding goes to the businesses that are most impacted, so we will design the schemes with the businesses themselves.

**Bruce Crawford (Stirling) (SNP):** I am pleased that the cabinet secretary has announced the enhanced financial support package today, particularly because the tourism and hospitality sectors are of such huge importance in my constituency.

Is the cabinet secretary aware, however, that I have pushed the Scottish Government to announce what additional support will be forthcoming for spectator sports to help them to survive the winter period? The situation is critical for some smaller clubs in the Scottish Professional Football League, in particular. When will the Scottish Government announce such support?

**Kate Forbes:** I recognise that Bruce Crawford has been representing sports clubs and has made the case for additional funding for them. I also recognise the impact that Covid has had on the sport sector—especially on clubs and other parts of sport that rely on spectator income. We have developed a support package for Scottish spectator sports; Joe Fitzpatrick, the Minister for Public Health, Sport and Wellbeing, will set out the details thereof in Parliament tomorrow.

**Sarah Boyack (Lothian) (Lab):** Does the £600 million for health and social care include funding for council-provided social care? What certainty can the cabinet secretary offer around the unallocated funding that she has mentioned, given that councils are already having to access reserves and plan for cuts in jobs and services? The City of Edinburgh Council alone has a £60 million financial shortfall.

**Kate Forbes:** I have already set out that the health and welfare funds include funding for vaccinations, the bonus for health and social care workers, the winter social plan, free school meals, self-isolation payments and so on.

Separately, I have also confirmed additional funding for local government that was previously announced and is now here, but had not been included in budget revisions to date. We will consider the additional needs of local government.

As I said, the contingency fund is to meet needs that are currently uncertain but will probably fall in the new year. I am prepared to use that funding for all eventualities.

**John Mason (Glasgow Shettleston) (SNP):** Can the cabinet secretary assure us that she will take a cautious approach, and that she will not spend in December or January money that we might need in February or March?

**Kate Forbes:** There are no guarantees that we will get additional funding from the UK Government. By law, I cannot overspend on my budget, so I have to be sure that funding is available, should crises and emergencies happen, with unknown impacts on our society and economy, from Brexit and other things. It is for that purpose that I have transparently allocated £332 million in contingency funding.

**Mark McDonald (Aberdeen Donside) (Ind):** The cabinet secretary is aware that businesses in Aberdeen pay higher business rates than businesses of equivalent size in many other local authorities, due to historical economic conditions that perhaps do not currently exist. A number of businesses have therefore missed out on business support because of nationally applied thresholds.

When she considers local delivery, will the cabinet secretary also consider local flexibility around rateable values to ensure that businesses in my constituency do not miss out on support?

**Kate Forbes:** Mark McDonald raises an important point. Local economies differ across the country, which is why the discretionary funding is so important. Central Government will try to target support at the sectors that are hardest hit, but it is important that local authorities are able to tailor their own schemes in response to economic conditions. I hope that Aberdeen City Council will be able to use the discretionary funding for the particular challenges in Aberdeen city.

With regard to the tourism package, one of the things that is being worked on right now is provision of support to bigger businesses that missed out on the original support because their rateable value is more than £51,000. Therefore, particular consideration is being given to those larger businesses.

**Alexander Burnett (Aberdeenshire West) (Con):** I refer members to my entry in the register of members' interests.

Given the additional payroll and accounting issues over the festive period, and the fact that January might be too late for many businesses, will the Cabinet Secretary for Finance set a date by which the cash that has been promised today will reach businesses?

**Kate Forbes:** There are several deadlines for the cash that has been promised today, because there are various schemes. As I said, some schemes have opened in December—the wholesaler scheme, for example, opened last Friday—and others, including the grants for showpeople, will also open earlier. Our intention is to get the money out as quickly as possible. Obviously, the recurring grants will continue to be paid every four weeks to businesses that are in need, for as long as the businesses need them.

**Gillian Martin (Aberdeenshire East) (SNP):** I thank the cabinet secretary for listening to the sectors that we have all worked so hard to advocate for. The Government has enabled 100 per cent rates relief for the especially affected sectors of retail, hospitality and leisure. However, other businesses with premises are struggling, but are not eligible. I appreciate and listened to what the cabinet secretary said in response to Mark McDonald, but will she consider expanding rates relief?

**Kate Forbes:** Publicly, I have been clear that, with regard to next year's budget, I am keen to extend some form of rates relief, subject to there being an equivalent policy in England that generates consequential funding, because it is not affordable to do so within the Scottish Government's fixed budget. Our desire is urgently to set out a plan to support businesses, through non-domestic rates, but that requires early notice from the UK Government of its intentions.

**James Kelly (Glasgow) (Lab):** The Institute for Public Policy Research forecast that youth unemployment could rise to 140,000. What portion of the £570 million business support moneys will be available to cities including Glasgow, where, sadly, many face the prospect of being blighted by youth unemployment?

**Kate Forbes:** James Kelly makes a good point, which is similar to the one that was raised by Mark McDonald: different parts of the country will be hit in different ways, as they depend on different sectors. That is why some form of discretionary funding is so important.

Glasgow will get its fair share of all the schemes that have been announced today. More sectors will be represented in Glasgow than is the case in other parts of the country, so it will get a fair share. Over and above that, Glasgow will get its share of the discretionary fund that has been agreed with COSLA. My understanding is that there is an additional top-up for areas that have been in level 4, which includes Glasgow.

**James Dornan (Glasgow Cathcart) (SNP):** While the Chancellor of the Exchequer was announcing a £27 billion increase in UK capital expenditure, he was cutting the Scottish

Government's capital budget by 5 per cent. What impact will that have on Scotland's need for an infrastructure-led economic recovery to deliver new jobs and speed up the transition to net zero?

**Kate Forbes:** As James Dornan said, the Chancellor of the Exchequer has set out his spending review, which was accompanied by figures from the Office for Budget Responsibility that demonstrate just how hard hit the economy will be in terms of unemployment and gross domestic product.

It is important that we invest in infrastructure in order to try to support economic recovery. That is why it is deeply unfortunate that, as we go into next year's budget, and start setting our budget, the Scottish Government's capital budget is being cut by 5 per cent.

I will set out, alongside our budget, our capital spending review, which will give not just a one-year outlook on what our spending will be, but a five-year outlook, so that there is a pipeline of work, which will give confidence to the construction sector and will, I hope, ensure faster economic recovery.

**The Deputy Presiding Officer:** That concludes questions on the budget update. I thank the cabinet secretary and members. Because of swift questions and answers, we got through all the questions.



## Education

**The Deputy Presiding Officer (Lewis Macdonald):** The next item of business is a debate on motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education.

15:21

**Jamie Greene (West Scotland) (Con):** Debate time is short today, but there are several important points that I want to raise with members.

I thank members from all the political parties who have engaged constructively on the substance of my motion. To that end, we will support the Labour amendment. Had it been selected, I would have supported the Liberal Democrat amendment, too. They both contain valid points, which I hope to elaborate on.

It is fair to say that this year has been nothing short of an *annus horribilis*, to rehash that often cited term. However, it has been an additionally stressful one for our teachers. Teachers are our key workers, too. Every day, they are potentially exposed to Covid-19, just as others are. They allow that because they love teaching and they feel the weight of that responsibility on their shoulders.

On 18 November, the Parliament debated a Green Party motion about the realities of teaching on the ground during a health emergency. We heard numerous anecdotes of teachers being encouraged not to self-isolate because of staffing pressures in their school and of many clinically vulnerable teachers being refused their request to work from home. We collectively condemned that in the chamber.

The Parliament voted on the motion, and we were clear and specific in our asks of the Government. I supported the motion then, and today I reconfirm that support. However, I hope that my doing so this time will elicit a response from the Government, because, although these motions are non-binding, they are important nevertheless. The Scottish National Party Government is often the first to talk about the will of the Parliament, but it is oddly silent when it loses such votes.

I will turn to my motion. First, we reaffirm the calls to recruit at least 2,000 additional teachers. That is more important than ever, given the newly expanded and comprehensive roles that teachers will play in replacing the job of examinations. One teacher called me this morning and said:

“I am a teacher. My job is to teach. Our workload is big enough without this added responsibility, why are we doing the job of the SQA for them?”

That is a fair question. Teacher workload is important because the wellbeing and mental health of our teachers, and of all our school staff, have often been forgotten in the debate. In fact, it is often taboo to talk about them.

Increasing teacher numbers will deliver three clear benefits: it can help to reduce class sizes; it increases school resilience to deal with absences; and it helps to increase subject choice. We know this week, following a freedom of information request, that, since 2014, the average number of Scottish Qualifications Authority course entries per pupil is down in 31 out of 32 local authorities. We have already agreed in the Parliament the importance of teacher numbers. However, to date, no definitive plan has emerged on how the Government will honour that agreement.

My motion goes on to address the issue of free school meals. In my view, that is an issue of substance, and it is also one that I am passionate about. I accept that there has not always been consensus on it, either between parties or even within them—it is often a heated and political topic. However, I want to be clear on it in the debate. When the First Minister announced the SNP’s policy in her recent speech to her party’s conference, I welcomed it—just as I did when, back in September, it was contained in a policy paper produced by Scottish Conservatives, which we debated in this very chamber, and just as I have when other parties have done the same, such as when a similar proposal appeared in Labour’s manifesto in 2019.

To be honest, I could not care less whose idea it was first. As someone who grew up on free school meals, from primary school right the way through secondary school, I know about the stigma that was attached to them, which I felt. I believe that the Parliament now has an opportunity to end such stigma. If we could put aside our differences on such a serious and important issue and coalesce around the Government’s policy, it would send a powerful message. I have made clear my views on the policy because, sometimes, our lived experience affects our politics. It is not often that politicians have the privilege of introducing policy that has been so affected by their own lives. I ask members to reflect on that in their contributions if and when they broach the subject.

The rest of my motion represents a timely follow-up to yesterday’s announcement by the cabinet secretary on the 2021 exams. However, I believe that that is only the start of the conversation and not the end. Anyone who heard Dorothy McGinty speaking on the radio this morning will know about the disquiet and discomfort that exist among the teaching community over the way in which this year’s events have been handled. Whatever one’s views

on the decision to cancel all exams—mine are publicly known—it seems to have raised more questions than it has answered.

The cabinet secretary has said that assessments will be based on teacher judgment. I applaud that, but questions remain. For example, if prelims are held, will they count? What about schools that do not hold them? Are prelims or mock exams required? Is the new model a fair and level playing field? Will it be fairer than exams? If so, why and in what way? Those are questions that people are asking us, and I pose them to the cabinet secretary.

Now that responsibility for assessment has been abdicated by the SQA and left to teachers, they are rightly concerned about their workloads. The one-off payment that the cabinet secretary has announced might compensate them financially, but it will not buy them more time. Further, students who start university next year will have little or no experience of sitting exams, which is of concern to many in the academic sector. Following the announcement of the decision yesterday, one chemistry teacher told me:

“Students heading into university laboratories run the risk of serious danger where they have not yet gained the required knowledge and skills.”

He also said:

“It would be an abdication of responsibility to send students to university in the knowledge that they may not be ready.”

There are other questions. On moderation, teachers are being asked to use their judgment, but we know that, this year, their judgment was moderated, ignored, overturned and then reinstated. The situation was a complete farce. The big question is, therefore: if we value teachers’ judgment at all, will we value it properly? Will their estimates be overruled again as they were this year? What moderation will take place? How will the Government ensure consistency and fairness in what is delivered? More importantly, what role will the SQA play in all that?

Further, how will appeals work in the new model? That is equally unclear. The Priestley review was specific in calling for enhancements to the appeals system, but we have yet to see the detail of those. How will they be fair, and how will we put young people at the heart of them?

Our motion calls for clarity on all those aspects. I take no pleasure in saying that all the warning signs about next year are there. These are crucially important grades that allow our young people to move on in education and in life. The education secretary must not let history repeat itself. It is not too late. I urge members to support my motion, because we cannot let young people down again.

I move,

That the Parliament notes the outcome of the debate on motion S5M-23385 (Safe Schools) on 18 November 2020 and reasserts its support for this; expresses disappointment that the Scottish Government has not presented proposals in response to the motion; calls on it to deliver at least 2,000 additional full-time teachers to fill the vacancy shortfall and to bring forward proposals to provide free school lunches and breakfasts for all primary pupils, to take effect from the start of the next financial year, and further calls on it to make a decisive and final decision regarding the 2021 Higher exam diet and to provide further support, before the Christmas holidays, to teachers, headteachers and local authorities by providing comprehensive guidance on the processes of assessment, moderation and appeals of all Higher level and National 5 awards.

15:29

**The Deputy First Minister and Cabinet Secretary for Education and Skills (John Swinney):** Yesterday, I outlined to the Parliament that plans for the 2021 exams have been updated in the light of the continuing disruption to young people’s education caused by the coronavirus. I highlighted that higher and advanced higher exams will not now go ahead and that grades will instead be awarded on the basis of teachers’ judgment of evidence of learner attainment. The assessment model, details of which were published yesterday, will be based on that which is already agreed for national 5 awards, although there will be adaptations for the higher and advanced higher requirements.

That model has been developed by a group led by the SQA but involving local authorities, professional associations, the college sector and Education Scotland to make sure of an important element that lies at the heart of answering almost all the questions that Mr Greene has raised in his speech—that this approach is supported and endorsed by the whole education system and can be delivered as a consequence of that agreement.

Having taken that decision, we can now provide certainty to the education system and time to ensure that appropriate alternative processes can be implemented. This is the safest and fairest way to ensure that pupils’ achievements are recognised in the difficult circumstances that we find ourselves in.

The proposals recognise the reality of the disruption that many pupils have already had to their learning, through having to self-isolate to learn from home or as a result of school closures. The proposals also recognise that, although we hope that the public health situation will improve, we cannot guarantee that there will be no further disruption to learning in the period that lies ahead.

In coming to these decisions, there has been significant engagement with everyone involved. Following on from my announcement yesterday, I

reiterate our on-going commitment to listening to the views of others to ensure that all the decisions that are taken are as balanced and as fair as possible.

In recognition of the additional workload of assessment of national qualifications in 2021, I am making provision for additional resource to meet the requirements of the new assessment approach. It is important that, as part of the exercise, there is adequate opportunity to ensure early support for moderation practices within individual schools. As we work through the steps, which are all outlined in the model that was published yesterday, there will be adequate opportunity for members of the teaching profession to be engaged in dialogue and discussion about the standards that are expected in each of the qualifications and to ensure that the assessment of the work undertaken by young people at a local level, which will be structured around the assessment modules that are provided by the SQA, enables consistency of judgment to be applied in every part of the country.

**Liz Smith (Mid Scotland and Fife) (Con):** Can the cabinet secretary outline where the exceptional, one-off payment will be sourced from? Is it coming from SQA fees or from general taxation?

**John Swinney:** It will come out of public expenditure because all these activities are paid for through public expenditure. However, we will not be paying SQA marker fees in the usual fashion, because there will not be exam papers to mark. The resources that are allocated for that factor will be instrumental in making provision for the one-off payment, which is to recognise the fact that teachers and lecturers will be undertaking an activity that would ordinarily be carried out by SQA markers.

The other point from Mr Greene's comments that I have to counter relates to what was put to me on the radio this morning—that, somehow, assessment is not the business of teachers. I have never heard a more ridiculous remark in my life. Teachers are assessing the performance of pupils on a daily basis, and anyone who suggests that teachers are not involved in assessment knows absolutely nothing about the conduct of education in our society.

Mr Greene made reference to the part of the motion that relates to the employment of full-time teachers. The Government has already put in place £80 million of additional resources, which has resulted in the recruitment of over 1,400 additional teachers and 246 support staff. That additional resource is bringing much-needed resilience to schools and the education system right now.

**Oliver Mundell (Dumfriesshire) (Con):** Will Mr Swinney give way?

**John Swinney:** Mr Mundell will forgive me—I have to draw my remarks to a close.

Decisions about school staffing rest with local authorities, and I continue to discuss their on-going needs and aspirations around staff numbers in relation to providing education during the Covid crisis.

The Government has demonstrated over a number of years—including very recently, without prompting—additional support for the provision of free school meals, with the allocation of an additional £37 million to local authorities to continue the provision of free school meals during the period of schools being closed and in the summer, winter and Easter holidays. That is a fundamental commitment, and we have boosted that by indicating that, if the Government is re-elected, we will expand the universal provision of free school meals and breakfast clubs to all primary school children by August 2022. That commitment would extend to all school holidays. That is what decisive leadership to meet the needs of children and young people is about, and I am proud of the Government's record in demonstrating that commitment.

I move amendment S5M-23629.3, to leave out from “outcome” to end and insert:

“announcements that National 5, Higher and Advanced Higher exams will be replaced by alternative certification models, and acknowledges that measures to address teacher workload, including additional financial support, will be put in place for those teachers and lecturers helping enable the certification to take place.”

15:34

**Iain Gray (East Lothian) (Lab):** I rise to support the motion and to move the amendment in my name. I start by paying tribute to all school staff for their efforts in keeping our schools going through this most difficult of terms and to pupils for their determination to keep learning, whatever 2020 has thrown at them. Unfortunately, too often, what has been thrown at staff and pupils has been critical decisions that come at the last minute and that are couched in confusion rather than clarity.

That goes right back to March, when, one day, we were told that schools would stay open and then, almost the next, we were told that they would close and that learning had to go online overnight. Then, after weeks of preparation for socially distanced blended learning, we were told just before the summer holidays that schools would open full time.

There was, of course, the SQA fiasco, when ministers went to the barricades to defend downgraded results until they were forced by pupil

protest to respect teacher assessments. Teachers were told that classes would be socially distanced and then that they could not be. Pupils were told not to wear face coverings and then that they must wear them. It is no wonder that teachers have felt increasingly ill-used. That culminated in ministers dealing shambolically with a modest request for a slightly early end to face-to-face teaching before Christmas by wrapping that up with a January holiday extension and then ditching the whole thing at the last minute. Incredibly, the Educational Institute of Scotland now says that teachers in England have been better treated by the Tories than ours have been by the Scottish Government.

Difficult decisions are, of course, unavoidable in the face of the pandemic, but their mishandling was not inevitable if ministers had really listened, as the Deputy First Minister claims that he does. The poet Alexander Scott once satirised Scottish education of the last century in this way:

“A telt ye  
A telt ye.”

Well, the Parliament is entitled to say to the education secretary, “We telt ye.” We telt him over and over that downgrading SQA awards on the basis of school performance and not pupil achievement would be a disaster. We telt him that he had to decide on exams long before now, or teachers would telt him that it is too late, as they are now doing.

Only last month, the Parliament explicitly told the education secretary in a Green motion that teachers had to see enhanced measures that allayed their safety fears, but he has not listened. There are no more additional teachers beyond those that he was claiming a month ago, when we had that debate, so there are no smaller classes. There is no funding for improved ventilation, so schools are still sitting with the windows open. There is no more routine testing. Yesterday, he said that he was going to get round to speaking to some local authorities about having a pilot next year, which suggests that we might have invented, produced and delivered a vaccine all before teachers can get routine tests.

Many of the decisions have been the right ones, but too many of them have been the right decisions taken way too late or only after another handbrake turn. That is why we need the additional staff and routine staff testing now, and not sometime in the future. It is why we must get the 2021 award scheme right, which can happen only if the whole scheme of moderation and validation is published urgently and with complete transparency. We cannot repeat the mistakes of last year, when the SQA published its moderation scheme only on the day that the results came out and all hell broke loose. We are saying to the

cabinet secretary, “Listen now, and please let us get it right this time.”

I move amendment S5M-23629.2, to insert at end:

“, and notes that the Scottish Government must also instruct the SQA to publish any moderation methodology that will be used in the grading of awards in 2021, in full and in advance of assessment.”

15:39

**Ross Greer (West Scotland) (Green):** I thank Jamie Greene for ensuring that we have time to debate the broad range of serious and interrelated issues that our schools face this term. As Mr Greene’s motion states, the Parliament set clear expectations of the Government when we passed my safe schools motion, as well as Conservative and Labour amendments, nearly a month ago, so it is disappointing that this debate is even necessary, but it is.

On 18 November, the Parliament called for vulnerable school staff to be supported to work from home, or in a safer alternative setting. We called for a further 2,000 teachers to provide cover over the winter and ease the crippling workload pressures that are currently faced, and we called for regular testing to be made available for all staff and for senior pupils.

The one area in which I see some progress being made is testing, with the recent announcement of an asymptomatic testing pilot, but given that we are nine months into the pandemic, frankly, another pilot feels like a delay. I would appreciate it if the Cabinet Secretary for Education and Skills could outline why a further pilot is necessary, given the wealth of evidence that we now have from across the world and from mass testing programmes that are already in place here, such as what is currently happening with university students and the pilot in Johnstone. I would further appreciate it if he could confirm where the pilot will take place, when it will start and end, and when the mass asymptomatic testing in all schools that the Parliament voted for will be delivered. Given the near certainty of a post-Christmas surge, I am not the only one who believes that that should be in place for every school in January.

I am aware that some discussions have taken place on the issue of protecting vulnerable school staff but, beyond the effective advocacy of unions in individual cases and, in some cases, at local authority level, no solution is in place. A postcode lottery on a fundamental issue of health and safety still exists, and many extremely vulnerable teachers whose employers made changes while their areas were at level 4 are today wondering whether those protections will be maintained when

their areas are at level 3. The cabinet secretary said that no teacher should be pressured into class against the advice of their GP, but he knows that that is exactly what is happening, so we are again asking him to intervene.

On the recruitment of additional teachers, like Iain Gray, I can see no progress. High staff absence rates will continue well into the new year, and to say that teachers are at breaking point would be an understatement. However, today's budget update made no mention of additional funds for teacher recruitment, so we can only presume that the Government is not going to do what the Parliament has instructed.

I hope that the cabinet secretary will address those points, but time is tight and Mr Greene's motion also makes reference to the critical issue of next year's exams, which I want to address, too.

The Greens are, of course, glad that the Government has finally made the decision to cancel and replace highers and advanced higher exams. We have called for that since May and have been contacted by increasing numbers of young people anxious about having had to miss weeks of school because of self-isolation. They did not know how they were going to manage exams in comparison with those who have been fortunate enough to avoid absences.

However, in leaving the decision so late, the Government has caused some entirely unnecessary stress for pupils and particularly for their teachers. When the decision on national 5s was taken, the cabinet secretary categorically assured me that it should not increase teacher workload. He did so again yesterday when I made the same point in relation to highers and advanced highers, but if he genuinely believes that to be the case, he needs to explain why not a single teacher seems to agree with him. The reality is that exams have essentially been replaced in large part by de facto exams, to be administered and marked by teachers.

Pre-pandemic, Scotland's schools were dependent on an average of 11 hours of overtime being worked each week by teachers. That has only increased this year, and with the assessment model, it will increase further. The proposed approach will take many teachers beyond their breaking point, and it is simply not sustainable.

The Parliament has already given the Government clear instructions, and we are now set to do so again. If the Government does not act, it will be not just the Parliament but teachers, pupils and parents who will hold it responsible next year.

15:43

**Beatrice Wishart (Shetland Islands) (LD):** I want to start by acknowledging and thanking pupils, parents and carers, teachers and all school staff for their hard work, especially during the pandemic.

I note that it is just three weeks since many of the issues that we are considering today were last debated by the Parliament. Many people who work in Scottish education can feel their patience with the Scottish Government wearing thin. It has been a long and trying year, but it has felt all the longer and all the more trying because teachers, staff and pupils have been at the mercy of a Government that is paralysed by indecision.

Yesterday's announcement followed the pattern that we are all now very familiar with: a decision being made on exams, but only after another damaging delay. While the Government has been slowly pondering, teachers, parents and pupils have been going through real and legitimate anxieties about their work and their futures. Cancelling exams was the right thing to do, and it was inevitable; it is clear from the evidence that pupils would not have had an equal shot at success if they had gone ahead.

Pupils who attend schools in Glasgow have had a very different experience from those in the Highlands ever since schools returned. It is difficult to see how there could ever have been a level playing field for highers and advanced highers. The Liberal Democrat education minister in Wales made the decision weeks ago, yet in Scotland the autumn term has almost passed, with pupils in level 4 areas having been asked to shield and learn from home while those elsewhere in the country attend as normal. Once again, it took political intervention by the Scottish Liberal Democrats and others for the Scottish Government to find its way to a conclusion.

These are difficult times and I do not underestimate the challenges that are involved in making such decisions, but there are real people at the other end of those announcements. The Educational Institute of Scotland reported unsustainable workloads for school management teams in September as they grappled with change after change while trying to give their pupils the best possible education, and it is safe to say that things have not improved since then.

I am seriously concerned about the health and wellbeing of those who are on the front line in Scottish schools, and I do not understand why the Scottish Government refuses to acknowledge the valid concerns that have been raised by vulnerable teachers. The education secretary lodged an amendment that would remove all reference to them.

The Scottish Government needs to take concrete action and make decisions in anticipation of problems that are coming down the line, not on reflection afterwards. Schools need to have the detail of the new exam model for highers and advanced highers in their inboxes by the time they return after Christmas. That means detail on how and when pupils should be assessed, how results might be moderated and what support will be offered to those who have already been impacted by the virus.

Vulnerable teachers need to be offered a safe place to work so that nobody is left feeling unsafe. Additional school staff need to be recruited and ready to deal with the new problems that will arise in the new year. The patchwork hiring that has been reported so far, with nine local authorities adding no new, additional support staff, is not good enough.

As Jamie Greene eloquently highlighted, issues such as free school meals need to stop being treated like political hot potatoes. There also needs to be an interim report from the Organisation for Economic Co-operation and Development so that people in Scotland have a chance to reflect fairly on the state of education ahead of the next election.

We will support the motion and Labour's amendment, but not the Government amendment.

**The Deputy Presiding Officer:** We move to the open debate. I encourage members to stick to their four minutes in order that everyone can be heard.

15:47

**Elaine Smith (Central Scotland) (Lab):** I declare my membership of the General Teaching Council for Scotland.

I start by thanking our teachers and everyone who works in our schools for supporting our young people in formal education during these difficult times. We should recognise that staff and pupils are under great pressure and that pupils in poorer areas are affected more by absence rates. Many pupils have been off school and isolating several times, which will undoubtedly have an impact on their education alongside the pressures, worries and social impact of the pandemic having a detrimental effect on their mental health and wellbeing.

It is important that there is certainty about the exams in the current academic year and that, following the announcement of the cancellations yesterday, full details are published. Teachers need clarity on what is expected of them, and young people must be treated fairly and have their personal circumstances taken into account, to

ensure that they get the results that they deserve this year.

In the previous education debate a few weeks ago, concerns were expressed about the safety of schools, transmission rates and the pressures on staff to go to work. It is difficult to comprehend that, due to concerns about transmission rates, we cannot socialise in our homes and we can only meet one other household outside, but a teacher can mix inside with 30 young people from 30 different households. Because of that, it is vital that all the safety measures and improvements that the Parliament voted for are implemented.

The announcement of routine asymptomatic testing of school staff is welcome, but it is not happening soon enough. There is also undoubtedly a case for teachers to be offered the Covid vaccine as soon as possible, and I hope that the cabinet secretary will comment on that when he sums up.

I will now concentrate on the issue of free school meals, which is included in the motion. As the cabinet secretary and others in the chamber will know, I have been a long-time campaigner on the issue and I co-sponsored Frances Curran MSP's Education (School Meals etc) (Scotland) Bill in session 2.

The original campaign was supported by a wide range of organisations including the Scottish Trades Union Congress women's committee and the Child Poverty Action Group, which produced a campaign book entitled "Even the tatties have batter!" That title was taken from a comment that a pupil made about the standard of school dinners, and it referred to the appalling meals that were on offer, which included the infamous Turkey Twizzlers. That was allowed due to a Tory Government having got rid of nutritional standards for school meals and having removed price controls, which permitted private firms, under compulsory competitive tendering, to charge a fortune for junk food.

Currently, footballer Marcus Rashford is campaigning on school meals. Back then, it was Jamie Oliver who was demanding better-quality food and a ban on Turkey Twizzlers. The Scottish Labour-led Government of the time introduced nutritional standards in our schools through the hungry for success policy.

In 2007, the SNP came into government with a promise to introduce free school meals, "beginning with our youngest children".

However, it was only after the Tories at Westminster introduced free school meals for children in primary 1 to 3 in 2014 that the SNP Government used the Barnett consequentials to do the same in Scotland in 2015.

I have no doubt that free nutritious school meals are necessary not only to tackle poverty and hunger, but in terms of nourishment and overall health and wellbeing. Unfortunately, too many of our children remain at risk of being overweight or obese—the figure is around 30 per cent. Despite the Government pledge to halve that by 2030, little progress has been made.

We could engage children with healthy eating by tapping into the fact that many have been inspired by environmental campaigning. Food-related environmental factors could be promoted in order to encourage healthy eating and the uptake of free school meals. However, we need to be sure that schools have the facilities to accommodate children for those meals. Councils have suffered severe cuts to their budgets over the years, so it is essential that the Scottish Government fully compensates them for expenditure on free school meals, in order that other educational services, such as learning support, do not suffer.

Our society has high levels of food insecurity, children going hungry and families increasingly dependent on food banks. There are predictions of a further increase in demand for food banks, due to the pandemic, the resultant unemployment and increasing poverty. That is why my proposal for a right to food is so important.

It is 13 years since the SNP promised to roll out free school meals. Many children have lost out through not having had access to them during that time. Unless the latest promise is just election propaganda, it really is time to act now and fully deliver on the 2007 promise.

15:52

**Brian Whittle (South Scotland) (Con):** I draw members' attention to the fact that I have a daughter who is head of department in a secondary school and my youngest has just started secondary school.

I am glad to have the opportunity to speak in the debate on education. It is a subject that we do not debate often enough. Far too often, it is the Opposition which forces the Government to face up to its responsibilities in what is a devolved portfolio.

However, I start where there is consensus. I was delighted when the Scottish Conservatives announced that they would put forward a policy commitment to provide free school lunches in all primary schools. I have always stated that education is the solution to health and welfare. From the perspective of my health brief, I can say that ensuring access to nutritious and quality food is an essential element of academic attainment as well as good physical and mental health. The attainment gap and inequalities continue to grow.

It was therefore welcome that the SNP decided to follow a similar path. Given the inclusion in Labour's most recent manifesto of a like-minded policy, it would seem that agreement has broken out across the chamber.

It would be helpful if local public food procurement were adopted in tandem with that policy. Perhaps that would allow us to make a positive impact on the rural economy as well as on the environmental issues that are often discussed in the Parliament.

In the remainder of my time, I will focus on the mental health and wellbeing of our teachers and staff, and on the increasing pressure that has been heaped upon them by the issues that Jamie Greene has addressed in the Scottish Conservative motion.

There is a lack of teachers. At the moment, Scottish Conservatives are calling for the approximately 2,000 teachers that Scotland lacks. The shortfall has been exacerbated by the forced absence from the classroom of many of our teaching staff because of the Covid pandemic.

We cannot ignore the pressure that teachers were under pre-Covid. The piles of paperwork and the tick-box exercises have continued to creep into their daily work. I have always advocated that, given that teachers are trained to teach, the system should allow them to get on with the job that they were trained for and about which they feel so passionately. Creating that positive working environment speaks directly to the recruitment and retention of staff. Not only does having to spend increasing chunks of their day on paperwork impinge on teachers' ability and desire to teach but it discourages them from potentially getting involved with extra-curricular activities—I just thought I would slide that in there, Presiding Officer, because it is another of my consistent calls.

Covid has raised the issue of health and wellbeing to the top of the agenda. A teacher recently told me about a huge rise in pupils reporting with mental health and anxiety issues. They said that teachers do not have the resources to deal with that and are concerned by the potential to miss something that might lead to a tragedy further down the line. Surely that is too much pressure and stress for teachers to have to cope with over and above their day-to-day pressures.

Last week, we debated mental health support for children. There was general agreement that not enough is being done, especially in the current climate. That must have a knock-on effect on those who are charged with looking after our children in the education system. The pressures of exams or assessment processes, the uncertainty,

which feeds pupils' anxieties, and the inability of teachers to prepare for those eventualities because of a lack of guidance and clarity from the Scottish Government will obviously affect morale.

We must remember that we are in December and nearly into a new year, and so just a few short months from when the assessments and exams would have been timetabled. I simply do not think that the Scottish Government is giving our teachers sufficient resources or time to plan properly.

The Scottish Government's report card on education was poor pre-Covid. The current crisis has highlighted its inability to take anything like the decisive action that we should expect from our Government. Our teachers, school staff and pupils deserve better.

15:56

**Clare Adamson (Motherwell and Wishaw) (SNP):** We will reflect that wisdom and knowledge changed on a daily and sometimes hourly basis in 2020 as the Covid crisis progressed. Some things—some wisdom and knowledge—have got old and outdated very quickly. The Conservative motion is an example of that. It has not aged well.

On exams, the Deputy First Minister has announced that the national 5, higher and advanced higher exams in 2021 will be replaced by alternative certification models and that measures will be in place to address teacher workload. Clarity has now been given.

On teacher numbers, the Scottish Government has taken action to help schools to respond to the challenges of Covid, with additional investment of £135 million. That help includes the recruitment of more than 1,400 additional teachers. Clarity has now been given on teacher numbers.

I remind members that it was the SNP that had to incentivise maintaining teacher numbers in 2015. The then finance secretary, John Swinney, maintained teacher numbers and the pupil teacher ratio by giving a funding package of £51 million to local authorities.

Only last month, the Scottish Tory MPs in the House of Commons famously voted against extending free school meal provision to the summer holidays. Despite Douglas Ross publicly backing the plan, he did not turn up to the House of Commons for that vote. Meanwhile, the SNP Government has delivered its free school meals and is committed to a further £100 payment for those who are in receipt of free school meals, to help families to deal with the pressures of Covid. I say to my Conservative colleagues that that is the difference between a soundbite and real bite—a

real bite of food for hungry weans, delivered by the SNP.

The weight of expectation from our young people, parents, carers, educators and local and national bodies is immense. No matter what decisions are taken, we should be mindful that some will be disappointed, anxious and worried, especially about how the crisis might impact on outcomes for our young people.

We should thank everyone for their resilience and patience. There are no winners or losers in these times. To couch this debate in the retrospection of "We told you so" adds nothing. We should all be looking to the road ahead, to the challenges that we still face as a community, and to the outcomes for our young people, which should be everyone's focus.

Education has to be delivered safely and equably to ensure that our young people, parents, carers, educators, local and national bodies and the wider community of Scotland, including employers, have confidence in the grades that are awarded this year. All those who are involved in delivering Scottish education have faced extremely difficult circumstances.

The Deputy First Minister has announced that national five, higher and advanced higher exams will be replaced by an alternative certification model and that measures will be in place to address teacher workload. That assessment needs to be fair. As was mentioned, almost 40 per cent of secondary 4 pupils who have not been in school for a Covid-related reason for more than one fifth of school opening days are from our poorest communities.

It has been unavoidable that Covid has disrupted learning. It is impossible to guarantee that all learners will be in a position to have their best chance to perform to their true potential during exams. That is why cancelling exams this year has been the right decision. Overall, we should be concerned for the wellbeing of our young people and teachers and we should get behind our school communities as they continue to face the challenges of Covid, as we all do.

16:01

**Alison Harris (Central Scotland) (Con):** No one is under any illusion that running an education system in the middle of a global pandemic is easy. All across Europe, Governments have been forced to take unpopular and unprecedented decisions about schools, universities and early years. No one is seriously suggesting that those decisions have been taken with anything other than the best of intentions, even if those decisions sometimes divide opinion. That gives the Scottish Government some cover for the past nine months.



Finding adequate excuses for the failings in education that have been amassed over the past 13 years will be trickier.

As has been well documented by colleagues across the chamber, the SNP's domestic record on education has been shocking. Unfortunately, the chaos that has been caused by the Government's indecision on higher and advanced higher exams has left pupils and teachers in a situation of uncertainty since the beginning of the parliamentary session, having to second-guess whether exams will take place in 2021.

Even with the severity of the challenges that have been posed by Covid-19, surely there has been enough time for any Government to decide and act on a proper plan. That should have all been done and prepared months ago, not announced yesterday, more than halfway through the academic school year. Whatever decision the SNP Government wanted to reach, it has waited far too long to make it.

So where are we now? John Swinney's response yesterday was to issue guidance on how teachers should assess their pupils, recognising that that will create additional work for and pressure on our already overstretched teachers. By way of acknowledgement, the Government will give teachers and lecturers who are critical to assessing and marking exam courses a one-off payment. How much extra pressure and time will that work involve for teachers? [*Interruption.*] The member will have to forgive me. I have only four minutes.

What about the additional payment; how much will that be? Let us note that it will be taxable.

Highers are not just about the year leading up to the actual exam; they are the culmination of years of hard work for students and teachers alike. John Swinney said that he

"will not stake the future of our higher pupils ... on a lottery of whether their school was hit by Covid."—[*Official Report*, 8 December 2020; c 49.]

I am sorry; it will be a complete lottery, and if the 2020 assessment process is anything to go by, it will be a complete shambles too. That is especially the case given that guidance is only now being issued to teachers on how to assess their pupils, rather than have every pupil in Scotland sit the same exam on the same day.

I have touched on the additional pressure that will be heaped on to teachers, but what about our pupils? They are now living under huge pressure at school, where they are constantly being assessed, as opposed to aiming for a higher exam next May. That is affecting pupils' mental health and should be flagged as an area of major concern. Let us think about what will happen when this generation of young Scottish people goes to

university or college and suddenly has to sit exams, when for the past two years, that opportunity has been taken away. Some children will be left ill equipped and at a disadvantage, because they will have no exam experience under their belts.

As we all know, the First Minister requested that the people of Scotland judge her on her record on education. Given the performance of the past 13 years, it is perhaps unsurprising to see that the SNP Government is now so averse to examinations.

I am pleased to support the motion in the name of Jamie Greene.

16:05

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** The Conservative motion that we are debating has many asks, and it appears to be a composite of many issues, some of which, as has been said, have been superseded by yesterday's announcement by the cabinet secretary. However, I will try to address most of the points that are raised in the motion.

On safe schools, the safety of pupils, teachers and all school staff has been paramount in the Government's approach to dealing with the pandemic. Arrangements have already been put in place, in conjunction with the Convention of Scottish Local Authorities, to allow members of school staff to get a coronavirus test whether or not they have symptoms, and we are the only part of the UK that provides such routine access. In addition, when schools return in January, we will begin to pilot routine asymptomatic testing of school staff. Teachers and all school staff should not feel that they are being put at risk simply by doing their job.

The call from the Conservatives to bring forward free school lunches and breakfasts to all primary pupils from the start of the next financial year is, in my view, pretty breathtaking. I acknowledge Jamie Greene's personal view on that call, but it is in their motion. I would not have thought that the Tories needed reminding that it was their Westminster Government that had to be shamed into giving free meals to pupils during the school holidays by a premier league footballer, so it is a bit rich to call on us to bring forward our own ground-breaking initiative.

That, coupled with the news from the Joseph Rowntree Foundation that more than half a million children across the UK are living in poverty because of Westminster failings, really compounds that extraordinary part of the motion.

The question about the 2021 higher exam diet was answered in full by the education secretary

yesterday. National 5, higher and advanced higher exams in 2021 will be replaced by alternative certification models, and measures will be in place to address and decrease the workloads of teachers and lecturers. They will rightfully receive a one-off payment for their extra work in assessing and marking exam courses this year—a process that I am confident will be carried out professionally and efficiently. I am glad that comprehensive guidance on the process will be given, but it is important that the Government responds quickly to any difficulties that might arise, given the importance of those assessments for the future of our children.

I believe that cancelling exams was a sensible and logical decision, given the disruption that the virus has caused to learning this year. Many pupils have lost significant learning time through the lockdown or self-isolation, and evidence shows that pupils from the most disadvantaged backgrounds have been affected disproportionately. It is vital that they are not disadvantaged further.

A teacher-based assessment of individual learner attainment might offer a better approach to delivering fairness, especially when supported by an exceptional circumstances process and an appeals process. I am also pleased that the cabinet secretary has confirmed that no algorithms will be used in the assessment process.

All those who are involved in delivering Scottish education this year have faced a monumental task. There have been no easy resolutions to the issues that have arisen over the past nine months and the challenges that lie ahead. Facing that reality, the Scottish Government has taken action to help schools respond to the challenges of Covid with additional investment of £135 million, which includes funding for the recruitment of more than 1,400 additional teachers. The £50 million education recovery fund, which supports councils to deal with additional staffing requirements and with cleaning, facilities management, transport and other issues, is critical to ensuring a safe return to schools; it is absolutely vital.

We are living in unprecedented times and are having to take unheard-of decisions. However, I am confident that the Government has made young people and our valued teaching staff an absolute priority during the pandemic.

**The Deputy Presiding Officer (Linda Fabiani):** The last speaker in the open debate is George Adam.

16:09

**George Adam (Paisley) (SNP):** I do not doubt the commitment to education in Scotland of any of my colleagues in the Parliament. I do not doubt

that they want the best for our young people, but sometimes in a debate such as this one we have to take a deep breath and acknowledge that we are living in unprecedented times.

It has been difficult for everyone to know what is going on from day to day, let alone be able to plan and ensure that we have got everything right in education all the time, every single day.

I welcome the work being done by our teachers and pupils to try to continue down their educational path, but we have to find a way of making everything safe for them so that pupils can build for their futures.

Many colleagues come to the chamber and say that they welcome the debate that they are speaking in. It is a bit of a cliché, like many others that we use. However, I welcome today's debate because the Deputy First Minister has already covered many of the issues that are in the Tory motion. Yes, there are many challenges out there for us all, and there are many things that we need to address, but the Deputy First Minister recently announced that exams would be replaced by alternative certification models, and he also addressed teaching workload. Those are just two of the points in the Tory motion.

The fact is that the Scottish Government has taken action to help schools to respond to the many challenges of Covid-19 in education, with £135 million that includes funding for the recruitment of 1,400 additional teachers—*[Interruption.]*

I would love to take an intervention, but when we have these speed-dating debates, it is difficult to take time out.

It is, however, strange to read in the Tory motion that the Conservative Party is a new recruit to the idea of all forms of free school meals. I will always encourage new recruits on an issue as important as that. However, it was not long ago that the Scottish Tory leader made a similar commitment, but then did not even bother to turn up for the vote. Members should not think for a minute that I do not believe that my colleagues mean what they say, but, at the end of the day, the Tory leader did not even bother to turn up for a vote on extending free school meals during the summer, despite publicly backing it—*[Interruption.]*

I really do not have the time to take an intervention.

Many years ago, I sold cars. Car salespeople are perceived to have a sullied reputation because of the industry that they work in. I do not know one car salesperson who would do what Douglas Ross did when he said one thing and delivered something completely different. I have never known anybody in the industry—even though it is

one that the public has a negative view of—to do anything like that, but that is the Tories for you: they just cannot help themselves.

Last night, I watched a young man on TV—a school pupil—saying that he welcomed John Swinney's announcement yesterday because it takes the pressure off him and his colleagues and gives them the opportunity to concentrate, given that they are still dealing with the challenges of Covid. It will give them the opportunity to get on with their education; the EIS said something similar on that point. That is an interesting point, and I think it is why all our colleagues sometimes need to take a deep breath and understand what is actually happening out there in the real world and get on with delivering for the people of Scotland.

One day, this will all be over—it will all be history—and we will tell our grandchildren about it but, when that day comes, we have to be sure that we have given our pupils the educational opportunity that they need so that they can go forward and get on with the rest of their lives.

16:13

**Daniel Johnson (Edinburgh Southern) (Lab):**

In his remarks, George Adam asked us to take a deep breath. I would ask SNP members to consider that it is they who need to take a deep breath. There is nothing in the motion or the amendment proposed by the Labour Party that they should disagree with. Indeed, if we are all agreed that we want to see our education systems succeed, they should not be points of disagreement; they should be points of consensus about how we take our education system forward.

As many members have pointed out, we are in unprecedented times. As we face Covid-19, it presents challenges in terms of immediate infection control, and how we deal with those things given limited information and the fact that this is an emerging virus without the science to back us up. We have grappled with the long-term, social and economic consequences. Education policy, in microcosm, has each of those three elements.

It is not easy and it is understandable that mistakes would be made, because of the unprecedented circumstances. However, as many members have pointed out, we are nine months on and we have seen a great number of issues arise, as Iain Gray set out in his opening remarks.

We are asking the Scottish Government to learn from those mistakes. When the exams were cancelled back in May, it should have been clear and obvious that there was a risk that the exams would have to be cancelled in 2021, too. From that moment, it was incumbent on the Government to

draw up contingency plans with regard to what it would do if those exams had to be cancelled, but that is not the announcement that we have just had. The announcement should have been that we were reverting to a plan B that was well understood and had been announced at the start of term, as opposed to a plan that has been half announced as schools get ready to rise for Christmas.

That brings us to the motion in front of us. George Adam rather confusingly seemed to point out that the Government is apparently in agreement with each of the points raised in the motion, but it is opposing them because of who is raising them. The Government will vote against more teachers, despite claiming that it is putting more teachers in place and acknowledging the increased workload that we are placing on our teachers. The Government claims that it is providing clarity and yet it will vote against calls for clarity.

I agree with many SNP members that the Conservatives have been on something of an ironic journey on the issue of free school meals, but let me say this: I do not care what journey someone has been on if they arrive at the right conclusion and agree on an important issue such as free school meals, which had its case made well by Elaine Smith. I congratulate them on arriving at the right conclusion; I do not dismiss their calls because I do not agree with where they started from.

The Labour amendment calls for clarity on methodology, and it is claimed that we have had an announcement on that. We have a timetable and a framework, but we do not have clarity about how quality control of the assessment will take place. We also do not know how appeals will take place. Anyone clicking through the documentation on the SQA website will be taken to a document that states that appeals will be made through centres, not by individuals.

There are two clear lessons to learn from the exams debacle earlier this year. First, when candidates' grades are altered, they need to know the basis of that alteration—why it has happened and what the justification is. The framework that has been set out does not provide that clarity and it will not be sufficient until it does so. Secondly, when candidates feel that their grade is unfair, they, not their school, need to decide whether to appeal.

These are unprecedented times, but we must learn from the mistakes, not repeat them, because the future of our young people rests on the decisions that we make.

16:18

**John Swinney:** Let me address some of the points that have been raised by members.

First, Ross Greer and Beatrice Wishart both mentioned the position of vulnerable teachers. I have placed on the record, and it is implicit in the guidance that the Government has issued on the matter, that individual assessments must be made by the employers—the local authorities. The Government does not employ teachers, so local authorities must make assessments of the clinical circumstances of individual teachers and, as the Parliament has said in the past—the Government agreed—teachers who are judged to be clinically vulnerable should be deployed on other duties to enable them to preserve their health and wellbeing. That is central to the duty of employment that rests with individual local authorities.

Elaine Smith raised a number of points in relation to testing, as did Ross Greer. I will put on the record something that has not been particularly obvious from some contributions to the debate: asymptomatic testing is available for teachers now. Today, Scotland is the only part of the United Kingdom that makes it available to teachers. A teacher who is worried can get a test even if they have no symptoms. That provision is not available anywhere else in the United Kingdom, but there has been no acknowledgement of that in points that some members have made in the debate.

Elaine Smith also made a point about prioritisation for vaccination. The Government and the health secretary have been quite clear about that, and the Cabinet has agreed. We have taken our clinical advice from the Joint Committee on Vaccination and Immunisation. Asking us to take a different stance means inviting us simply to ditch clinical advice. I do not think that the Parliament would forgive us if we were to ditch the clinical advice that is available to us.

**Jamie Greene:** I have a simple question. If we can offer lateral flow tests to students to get them home for Christmas, why cannot we do the same for teachers?

**John Swinney:** That is because lateral flow tests cannot be administered without clinical supervision, which means that we would have to put such supervision into every single school in the country, as well as ensure that we had sufficient lateral flow devices.

We have allocated supplies to students to address directly the issues that arose from the spread of the virus, and we have put in place clinical supervision for use of the lateral flow devices. That is the fundamental difference. That has been done in 19 institutions in the country. I

note, for Mr Greene's benefit, that we have 2,500 schools in the country, so putting such provision in place in schools would be a substantially different proposition.

I turn to exams. Ross Greer made the point that exams are potentially being replaced by de facto exams—prelims. I completely debunk that point of view; that is not what is in the guidance that has been set out. I do not believe that it is necessary for young people to sit a mid-term exam to replace the end-of-year exam. That is not what the change is about. It is about holistic assessment and relying on the judgment of teachers to enable—as Elaine Smith correctly highlighted—the taking into account of the personal experiences of individual young people and their access to education.

Alison Harris raised a concern about the mental health of young people in our schools. I am concerned about that, too, but I do not believe that the solution is to put young people, with all the worries that they have just now, in the position of having to wait for an end-of-year exam when we can instead support them to develop their learning during the year to ensure that they have command of the curriculum and can be entitled to awards.

If Alison Harris thinks that young people's mental health would, in the current circumstances, be better served by having them wait for one afternoon in May as the opportunity for them to be supported, I disagree with that view. The Parliament is entitled to hear honest disagreement between its members; members are hearing such disagreement with that suggestion now from the education secretary.

I come to the question of the timing of exam decisions. There has been some criticism of the timing of my decision yesterday. However, I point out that various members—on the Conservative side of the chamber, in particular—have argued vociferously that I should not take any premature decisions—[*Interruption.*] I appreciate that that does not apply to members on all sides of the chamber; nevertheless, members have argued against my taking premature decisions.

We now find ourselves in a situation in which, when I take a decision, it is judged to be a delayed decision by the self-same members who previously argued that to make such a decision would be premature. That stinks of total and utter rank hypocrisy, of which we have heard a lot this afternoon. [*Interruption.*]

My final point relates to the practical contents of the motion. There are two provisions in particular that I entirely support. One is expansion of the number of teachers—which we have done. The other is expansion of provision of free school meals, which we have done and continue to do. We did not need to be shamed into action by

successful footballers, because we had already decided to enable that provision.

The Parliament must consider how all the measures in the motion would be implemented in practice. It must be careful about the motions that it passes, because it must be able to put in place the financial and operational support to ensure that the measures can be delivered.

16:24

**Oliver Mundell (Dumfriesshire) (Con):** I start on a note of consensus after that grumpy, angry and dismissive speech, which has become John Swinney's trademark when it comes to education—*[Interruption.]*

In all seriousness, I join other members in thanking our teachers and pupils, and all the support staff, parents and carers across the country who have had to work doubly hard throughout the pandemic as a result of John Swinney's failures.

Today's debate provides an important chance to take stock of the Government's performance and progress—*[Interruption.]*

**The Deputy Presiding Officer:** Could we stop for a moment, please? Sit down, please, Mr Mundell.

I have spent the last 10 minutes listening to shouting from one side of the chamber, and I am now hearing it from the other side. Could members all just calm down and start showing a bit of respect for one another, please?

**Oliver Mundell:** Thank you, Presiding Officer.

Covid has revealed where education truly sits in the Government's priority list, and it is not at the top. It is hard for the Government to call it its number 1 priority, or even to call it a priority at all. With every debate, every parliamentary statement and every passing day, it becomes clearer that the SNP and John Swinney are content to preside over an underperforming education system, and that they continue to refuse to listen to the will of the Parliament. Worse than that, they refuse to listen to our teachers who are working on the front line.

Far from equity and excellence, all we see is dither and delay, and a blame culture in which responsibility lies with everyone but the Scottish Government. As we saw yesterday, even the most basic questions seem to be difficult to answer. The never-ending U-turns are becoming more like a loop the loop, and I am not surprised that even the cabinet secretary is finding it hard to keep up with himself.

Iain Gray is right: we often get the right decisions, but they come far too late. Usually at

this point in the debate, I would say that the Government is too busy focusing on a divisive independence referendum, but I am honestly not sure whether John Swinney is more preoccupied with burying the legal advice that the Parliament has been asking for.

Anyway, all that we can know for sure is that education has fallen even lower down the priority list over the past few months. The SNP has no new ideas of its own, no new thinking, no real commitment, and no willingness to engage with the Parliament, teachers or unions. It is all just talk. That is why I find it pretty galling to hear SNP back-bench MSPs suggest that, after 13 long years in government, it is a total and complete coincidence that increasing free school meals provision to all primary school pupils has come about just a matter of weeks after the Scottish Conservatives called for that change to be made.

What is even more ridiculous is that SNP MSPs seem to care about or to be interested only in what is happening in England when there is an opportunity for political point scoring. If we are going to talk about politicking, and if we are going to suggest that people are being shameful, I say that that is shameful. Where is the SNP's concern for the rest of the UK, as it seeks to tear our country apart?

As our motion suggests, let us bring forward the plans now—let us deliver the change, let us take the politics out of this issue, and let us get it done before the election. Let us make the change at the start of the next financial year. If we all agree that it is a good idea, why wait?

I will pick up on another point that was made by my colleague, Jamie Greene. I am unclear why the SNP Government, having accepted that it was a mistake to cut our teacher numbers to the bone, has been so sluggish about putting in place plans to deliver additional teachers. Where are the 2,000 additional full-time teachers whom we need to fill vacancies? The pressure and workload on teachers in our schools would be much less, and there would be much more resilience in the system, if those teachers were on the front line, helping our young people. How can a Government that is serious about maximising opportunities for Scotland's young people be so relaxed about such a significant failing?

Is the cabinet secretary happy that young people, particularly those who live in rural and remote communities, are getting a second-class education service simply because the teachers are not there to give them the teaching and support that they deserve? I am certainly not happy, and my constituents feel that the Government lacks understanding of what is needed to turn things around. There is certainly a lack of prioritisation when it comes to delivering more teachers.

Of course, the teachers who are there are working very hard, and I would never seek to do down our young people or our schools, but they should not have to pick up the slack as a result of national failings in policy and lack of resources.

It would be tempting to say that many of the changes have come about as a result of an urban and central-belt dominated mindset that is at the heart of the SNP, but the reality is that things are no better in our cities, and our young people are being let down the length and breadth of the country.

As a number of other members have done, I want to highlight briefly the many questions that have come up as a result of the Deputy First Minister's statement yesterday. Surely, having had the advantage of significant practice when it comes to the announcement of U-turns and changes in policy, Mr Swinney would have had the chance to think through the answers to some of the obvious questions that were asked. It does not inspire confidence to hear deflection of legitimate questions, nor to hear that it will be left to schools and universities to sort out the tricky issues.

I would sit down now to give the cabinet secretary a chance to give a bit more clarity, but I know from experience that we will just get more of the same. I am starting to suspect that the new strategy is just to give as little information as possible, so that people have less chance later to point out that things have gone wrong.

When it comes to education, it is clear that the SNP Government will do nothing proactively, which is why I urge colleagues across the chamber to continue to hold it to account this evening, and to ensure that it listens to the Parliament and the people of Scotland.

**The Deputy Presiding Officer:** That concludes the debate on responding to parliamentary will and to calls for clarity in education.

It is time to move on to the next item of business. I was about to ask members please to take care with social distancing measures when you leave the chamber, but it looks as though everyone is staying.

## Economy

**The Deputy Presiding Officer (Linda Fabiani):** The next item of business is a debate on motion S5M-23622, in the name of Maurice Golden, on the economy.

I call Maurice Golden to speak to and move the motion. Mr Golden, you have up to seven minutes.

16:31

**Maurice Golden (West Scotland) (Con):** The motion is about protecting jobs by ensuring better support in three key areas: grant support, taxation and the clear and consistent setting of regulations.

Currently, only businesses that are forced to close can receive the maximum level of grant support. Businesses that voluntarily close are penalised, whether their decision was made to help stop the spread of the virus or because their business is not viable under the restrictions. That situation is grossly unfair, and those businesses should be able to claim the maximum level of support.

However, we know that even when businesses qualify, the maximum level of support is often not enough. The Scottish Government's own calculations suggest that it costs an average of £3,300 a week to run a pub, but the Government provides pubs with a maximum of £3,000—not per week, but per month. Further, it now turns out that even that low level of support will not be maintained.

**The Minister for Business, Fair Work and Skills (Jamie Hepburn):** Will the member recognise that that is a false analysis? That figure is based on those pubs remaining open, which is not the circumstance that we are in now. Will he correct the record in that regard?

**Maurice Golden:** I do not see it as a false analysis at all. Ultimately, a pub with monthly costs of more than £13,000 cannot keep going on that level of grant support, which, from Friday, will be downgraded to £2,100 a month.

Only 42 per cent of pubs can open after yesterday's change in restrictions, so the warning from the Scottish Licensed Trade Association—that up to 12,500 jobs are at risk—still stands. There must be a rapid review of the grant support limits, not just for pubs, but for the entire hospitality industry, and for other sectors, too. We were told that new support measures are in the pipeline, but there is no detail and businesses cannot afford to keep waiting.

In Wales, hospitality businesses receive £269 per day—more than four times the amount that the Scottish Government provides in Scotland. In fact,

at just £64 per day, Scottish hospitality receives the lowest level of support anywhere in the United Kingdom. The new measures should come up to at least the Welsh level—or is the Scottish National Party seriously claiming that Scotland does not have the power or the funds to at least match Wales?

The SNP has shown that when it wants to act, it can, such as with the welcome fund for the wholesale sector and today's announcements for taxi drivers and travel agents, which are also welcome. However, months into this crisis, why does it still take so long to get support out the door?

Taxi drivers were promised support three weeks ago. I have spoken with drivers on the ground, and I know that their bills are mounting. When will they actually see a penny of the money that has been announced today, and will any support be backdated? I would be grateful if the minister could address that point. I have also been in contact with travel agents and the Scottish Passenger Agents Association, and they face the double whammy of all the challenges that this year has brought plus refunding last year's bookings.

I am glad that the Scottish Government has listened to our calls, but why has it taken so long? There needs to be long-term support, because businesses that manage to survive into the new year face a new threat—a massive tax bombshell when bills for non-domestic rates come in.

Only a few months ago, we saw reports of 300,000 planned redundancies across the UK. Workers at Debenhams, the Arcadia Group and Burntisland Fabrications, and many other, smaller, businesses, face uncertain futures, on top of the thousands of pub jobs that are at risk, as I mentioned. The Scottish Conservatives want action to save those jobs, so we are calling on the SNP to do the right thing and extend the 100 per cent relief for non-domestic rates for another full year.

**The Minister for Public Finance and Migration (Ben Macpherson):** Does Maurice Golden agree that the Scottish Government's ability to provide the 100 per cent relief for retail, hospitality and leisure is contingent on consequential from Westminster? If so, will he join us in calling on his colleagues at the Treasury to confirm the position for the next financial year, to let us provide the support for which he rightly calls?

**Maurice Golden:** We already have £1.3 billion in extra funding from the UK Government, and if the SNP had managed to grow the economy since 2007, we would have more cash right now. If it had not blown hundreds of millions of pounds on ferries, or if it had grown employment at the same

rate as in the rest of the UK, we would have had 250,000 more jobs pre-Covid and far more cash in the bank to fund the extended relief.

I turn to the restrictions and the effect that they have had on businesses. We all understand the need for restrictions, but in recent weeks, we have seen individuals and businesses trying to follow the rules in the face of confusing, and often abrupt, instructions from the Scottish Government. For example, Perth and Kinross was put into level 3 with just over two days' notice, and Midlothian was supposedly moving to level 2, only to be given just 12 hours' notice that it was staying in level 3. It is worrying that the Scottish Government does not seem to understand that businesses cannot turn on a dime. How are they supposed to organise staff and stock and make other decisions with so little notice? We are calling for a week's implementation period to give businesses a chance to adapt, and I repeat that call today.

I also urge ministers to give businesses a seat at the table when those decisions are made, and to carry businesses with them, rather than expecting businesses to fall into line.

The Scottish Conservatives' proposals are commonsense measures. I remind members that it is the UK Government that has saved nearly a million Scottish jobs, helped more than 79,000 Scottish businesses and boosted Scotland's budget by £8.2 billion to fight the virus. There is no reason for the SNP not to support our proposals today—other than because they come from the Conservatives. The members opposite have to decide whether they want to score political points or save jobs.

I move,

That the Parliament notes that too many businesses affected by the pandemic restrictions have been unable to access support grants; calls for the Scottish Government to undertake a rapid review into grant eligibility with a view to ensuring that businesses can access the support that they need over the winter; further calls on the Scottish Government to provide certainty for businesses next year by committing to extending the non-domestic rates poundage freeze and the rates relief for hospitality, leisure and retail businesses into 2021-22, and calls on it to establish a coronavirus business advisory council.

16:38

**The Minister for Business, Fair Work and Skills (Jamie Hepburn):** I look forward to the Conservatives supporting my amendment to the motion. I could not help but notice that, in yesterday's Finance and Constitution Committee debate on parliamentary scrutiny, without equivocation or clarification, Murdo Fraser described amendments that are moved by Scottish Government ministers as "credible and capable". Being a man of consistency—and his

consistency is a matter that many of us have often had cause to reflect on—I know that he will demonstrate his continued belief in the credibility and capability of what ministers bring to the chamber for debate by supporting my amendment today. Of course, I know, too, that he will, as he always does, take his party with him.

There is no doubt that Scotland's businesses continue to be impacted by the coronavirus pandemic. Even with the easing of restrictions in level 4 areas such as my own at the end of this week, the circumstances, which are unprecedented in our lifetimes, remain difficult for them. I take nothing for granted and appreciate every sacrifice that is being made by individuals, organisations and businesses in every community across the country.

The vaccination programme, which is in its initial stages, offers us all hope, but we need to appreciate that we will not see its full benefits until next year. Therefore, for the time to come, we must continue to strike a balance between our health needs and our economic needs.

When the pandemic began, we moved rapidly to put in place a support package worth more than £2.3 billion to provide lifeline support to businesses. We continue to provide support through the strategic framework, and we are providing £30 million in discretionary funding for local authorities, which can be used to address the specific needs of local economies, such as support for supply chains. We are also committed to a second round of the newly self-employed hardship fund, with an additional £15 million to support those who have been overlooked by and are ineligible for the UK Government's self-employment income support scheme.

We recognise the need to provide on-going support, and today the Cabinet Secretary for Finance has allocated additional funding of £185 million to help build resilience for our businesses throughout the winter. The package includes support for hospitality businesses, taxi drivers, arts venues and travel agents. That is action by this Government in response to the real challenges that businesses in those sectors across the country face at this time.

**Elaine Smith (Central Scotland) (Lab):** Can the minister tell us when applications will open for taxi drivers?

**Jamie Hepburn:** We are currently working with local government colleagues on that, and we hope to open applications as soon as possible. I am happy to come back to Elaine Smith with details, when those are available.

Just as it is important that we support businesses, it is important that we ensure that we support their workforces. Mr Golden's motion fails

to mention that—a mere oversight on his part, I am sure.

I consider it vital that we take this opportunity to signal the importance of that support to employers, and my amendment cites the Covid-19 fair work agreement that we have jointly endorsed with organisations such as the Institute of Directors, the Scottish Council for Development and Industry and the Scottish Trades Union Congress. That underlines the collaborative approach that is needed as we work our way through the crisis.

I turn to the motion that is before us. Further to the exchange between Ben Macpherson and Maurice Golden, I want to make clear that we would also like to be able to provide clarity for businesses on rates relief, but it is difficult to do so at this stage—the limitations of the devolution settlement mean that our ability to continue to offer relief next year is contingent on the UK budget extending the equivalent policy in England and generating consequential funding.

The Cabinet Secretary for Finance has been clear that, should the UK Government introduce such an extension, we are committed to creating a tailored package of business support measures, including on rates relief, which best meets Scotland's needs. On that basis, the assistance of Mr Golden and his colleagues in making the case to their colleagues in the UK Government would be welcome. I did not hear him offer that assistance a moment ago, but I would be happy to hear him offer it any time that he is willing to do so.

On an issue that both my amendment and Mr Rowley's amendment mention, we know that some larger businesses such as supermarkets have pledged to reimburse the Scottish Government for the rates relief offered at the outset of the pandemic. I welcome that decision and call on other businesses that are able to follow suit to do so.

**Maurice Golden:** Will the minister take an intervention?

**Jamie Hepburn:** How long do I have, Presiding Officer?

**The Deputy Presiding Officer:** You are just closing, minister.

**Jamie Hepburn:** Mr Golden will have to forgive me.

Ultimately, we could do much more to support our businesses and wider economic recovery if we had greater fiscal flexibility and borrowing powers. In that regard, the Finance and Constitution Committee's pre-budget scrutiny report is timely. On that issue, it says that

"without its own borrowing powers to fund day to day spending, the Scottish Government is largely constrained



by UK spend and policy decisions when determining its own COVID-19 related spending and policies.”

Those are not my words—they are the words of Finance and Constitution Committee in its unanimously agreed report.

This evening, I hope that Parliament will unite behind the Government amendment to endorse that position; to endorse our call on retailers who can to return any rates relief they do not require for the benefit of businesses across Scotland; to recognise that more needs to be done to support Scotland’s businesses; and to back the fair work agenda for Scotland’s workers. I commend the amendment in my name.

I move amendment S5M-23622.3, to leave out from “too many businesses” to end and insert:

“many businesses affected by the pandemic restrictions have been able to access Scottish Government support grants totalling more than £2.3 billion, including the Strategic Framework Business Fund, and welcomes the additional financial support that will be made available through the £15 million second phase of the Newly Self-employed Hardship Fund and the £30 million Local Authority Discretionary Fund; welcomes the use of Barnett consequential to provide this support for businesses and jobs, alongside other forms of support from the UK Government such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme; recognises that the Scottish Government will continue to review and refine the COVID grant offer, within available resources, with a view to ensuring that businesses can access the support that they need over the winter and notes that the Cabinet Secretary for Finance will set out how additional funding will support businesses and their employees; welcomes the repayment of rates relief by supermarkets and calls for other businesses who can do so to follow this example and for this resource to be allocated to the devolved governments to enable the provision of further support for businesses and their workforces; understands the need for workers to be supported through the current period and commends the *Coronavirus (COVID-19): fair work statement*, which has been jointly endorsed by the Scottish Government, STUC, COSLA, SCVO, IoD Scotland and SCDI to employers; recognises that the Scottish Government will only be able to deliver the certainty sought by Scottish businesses in terms of extending rates relief for hospitality, leisure and retail businesses into 2021-22 with consequential funding from an equivalent investment by the UK Government due to the lack of fiscal powers and flexibilities devolved to the Scottish Parliament, and endorses the Finance and Constitution Committee’s unanimously-agreed pre-budget scrutiny report, which recommends that the Treasury should consider providing the devolved governments with greater access to borrowing in emergency situations, such as the current crisis, to allow them to tailor their own spend and policy response to the pandemic and economic recovery.”

**The Deputy Presiding Officer:** I call Alex Rowley to speak to and move amendment S5M-23622.2. You have up to four minutes, Mr Rowley.

16:44

**Alex Rowley (Mid Scotland and Fife) (Lab):**

The idea that we could build consensus is important. We must do so because, at the end of the day, people’s jobs are on the line out there. As we come up to Christmas, many people are worried. The furlough scheme has been widely recognised as having been the right thing to do, and it has helped, but we are seeing more and more job losses and worry.

**Maurice Golden:** Does Mr Rowley think that workers at BiFab, and indeed throughout Scotland, have been let down by the SNP Government?

**Alex Rowley:** There is a wider debate to be had about how we can build back the Scottish economy, and specifically about the renewable energy sector, on which the country has been let down. We need to be more ambitious in our approach to building back.

I return to the motion and the amendments that are before us today. This morning, I read a report about Unite the union’s survey of taxi drivers. I also heard a BBC interview with a lady who is a taxi driver from Edinburgh, who explained the situation in which drivers currently find themselves. The Government’s move to announce support for that industry is good, but we need to speed up the process, because people are desperate.

Unite Scotland surveyed more than 200 taxi drivers. The results, which were issued this morning, showed that 37 per cent reported that the support represents less than 25 per cent of their average earnings; 18 per cent reported that it represents between 25 and 50 per cent; and 20 per cent reported that it represents between 50 and 75 per cent. Whether they are self-employed or work in firms, many drivers have just been left to their own devices. The same is true of quite a number of sectors in the Scottish economy. Therefore, more than anything else, my plea is that we must work with the trade unions and listen to all those sectors. We must be able to respond as quickly as we can.

**Jamie Hepburn:** I recognise that time is constrained, so I will be brief. I assure Mr Rowley that I meet STUC representatives weekly. I recently met Pat Rafferty of Unite to discuss matters affecting taxi drivers, so it has been influential in our making that choice.

**Alex Rowley:** That is good news. However, I will quote what Pat Rafferty has said:

“The stories shared by taxi drivers in our survey is heartbreaking and clearly shows a trade in crisis. The reality is behind the figures there are workers and families across Scotland who are in despair.”

That is the reality, and it is why the Government must act. It is also why we need to build consensus. We must be able to respond where people are in difficulty, and do so quickly. Therefore, in response to Jamie Hepburn's answer to Elaine Smith's question on when the support will open, I say that we need to move that forward and to be flexible.

Further flexibility is needed on the guidance that is being issued to councils. In this morning's coverage, the point was made that some self-employed taxi drivers who share cabs have extra financial outgoings because they have to pay for those vehicles. However, because they do not fit within the terms of the guidance that has been issued, they are being refused support. I discussed that with the Cabinet Secretary for the Economy, Fair Work and Culture last week. I agreed that local authorities need to have discretion, but I also said that we must get across to them the message that such funds are being introduced to help people. It must be generally accepted that, when businesses approach authorities, they should not simply be told that they do not fit the criteria—end of. I have made such an appeal to Fife Council, which is the one that I have dealt with most. However, the Government must get the message out to local authorities that we want to help such people and not put barriers in their way.

I see that I am out of time, Presiding Officer, so I will conclude my remarks there.

I move amendment S5M-23622.2, to leave out from “, and calls on” to end and insert:

“; welcomes the repayment to date of business rates relief from larger retailers that have seen an increase in their sales over the course of the pandemic and calls on the Scottish Government to encourage these practices from other retailers that have not required the same level of rates relief as other businesses; recognises that, for the economy to recover effectively from this crisis, the Scottish Government must invest money back into small businesses, hospitality and town centres and prioritise the regeneration of the high street, and calls on it to establish a coronavirus business advisory council and produce an industrial strategy to ensure businesses are adequately supported.”

16:49

**Patrick Harvie (Glasgow) (Green):** I welcome the chance to take part in the debate. I doubt that it will come as a huge surprise to members in the chamber that the Greens do not back everything that the Conservatives had in mind in bringing this motion to the chamber.

The Conservatives repeat their call for a business advisory council, for example. That is a well-rehearsed argument by now and I put on record once again my concern that what it would turn into, if the Government agreed to it, would not

be a group of people advising on how best to implement public health measures but a group of people lobbying within Government against implementing such measures. I fear that that is how it would go if that council was created, and I am sorry to see that the Labour Party is now echoing a Tory talking-point.

On extending rates relief, I agree that there is no doubt that many businesses need that support, but others do not. Supermarkets, for example, have seen high profits during the pandemic. This year has been awful for so many of us to live through, but it has been good for the profits of some big businesses. It is important that our tax policy seeks not only to protect those who really need support but to redress the inequality that has been exacerbated by Covid. The difference between small, independent businesses and giant multinationals is one example. Simply continuing with rates relief without taking a different approach is not something that I would support.

As for grant eligibility, I would be fine with carrying out a review, but I suspect that my purpose for that review would be different from that of Maurice Golden and the Conservatives. I have consistently made the case that the Government should use conditionality in its grant support, with incentives for ethical practices such as payment of the living wage and support for those employers who were already doing the right thing before the pandemic; we do not want them to be the ones most likely to be tipped over the edge and forced to fold. Too often, when we discuss the economy, we only see narrow metrics such as overall economic activity without asking who benefits from it, who bears the harmful impact of generating that activity and in whose interests our economy operates.

When we debate business support, too often we only see support going to business owners without ensuring that it gets directly to the people who do the work in our economy. The Scottish Government certainly does not have everything right on this issue, although its amendment is preferable to the Conservative motion. Ministers place an emphasis on the fair work agenda but, during the pandemic, just as was the case before it, they have been far too reluctant to place robust conditions on publicly funded business support to ensure that it goes to ethical practices and truly sustainable industries. If they begin to do better, we have a chance to ensure that the economy that emerges from the trauma of 2020 is a better one than the low-pay, low-tax, low-regulation, exploitative, unsustainable and unhealthy one that came before.

16:53

**Willie Rennie (North East Fife) (LD):** Today's debate is a bit of a side show. It is a side show because the answers that businesses are desperate for are locked in the secret process of negotiating a trade deal with our closest neighbours in the European Union. I can understand why the Conservatives do not wish to debate that, as it has been difficult to justify the self-inflicted chaos that is Brexit. That chaos has gripped our country for getting on for five years now and it has resulted in few, if any, benefits and a shedload of uncertainty and disinvestment from the UK, directly impacting on the businesses that we are debating today.

Brexit should be a stark warning for those on the SNP benches who think that the process of breaking from the UK would be any easier. If they want to predict what independence negotiations would be like, they do not have to look too far to find out. Businesses that are worried about their trade, people who are worried about their jobs and young people who are worried about their future would never forgive politicians if we spent the next decade arguing about flags, borders and the name of our country when we should be focused on an economic recovery. The fact that the Conservatives and the SNP are inflicting this double chaos in the middle of a global pandemic shows what happens when people let destructive ideology override common sense.

Instead, we should have a needle-sharp focus on the recovery. Today, that is the work of the Cabinet Secretary for Finance, Kate Forbes, who made a welcome statement earlier this afternoon. I am sure that, if Kate Forbes were here, she would acknowledge the constructive approach that my colleagues and I and others in the chamber have adopted to the development of financial schemes for different sectors. Along with other members from across the chamber, I have made cases directly to Kate Forbes and Fergus Ewing. We welcome the engagement from them. We have made representations from business directly to ministers, and they have engaged and responded well. We should be doing more of that, rather than having more debates about the constitution.

Although I welcome the support that has been announced today, I share the concern of Liz Cameron from Scottish Chambers of Commerce about the urgency of the situation and the need for early payment if we are to keep businesses alive. I have spoken to many businesses that are thinking about closing up in a matter of weeks. If we do not act swiftly and with clarity and get the money out the door quickly, I do not think that they will be here any more. The Government should adopt that position urgently.

Companies in the tourism sector such as self-catering businesses, bed and breakfasts and guest houses were directly impacted by the travel ban and the indoor meeting rules, but they have not had any support through the Government schemes so far, and they have been in despair. Travel agencies that have spent the past nine months getting money back for their customers from travel companies have not been able to put staff on furlough and have been desperate for support. Thankfully, that support has been made available today, which I welcome.

Golf tourism companies are important for the many parts of our country that have great golf courses. Their business evaporated overnight, as people cannot come from far-flung parts of the world. Wedding venues have really been struggling, as have taxi drivers and coach tour operators. We have had good announcements from the Government on those matters today. Again, through co-operation, we have worked to make that happen.

I was puzzled and concerned by the decisions yesterday on the levels. I thought that we had a clear, consistent and cautious approach in the strategic framework. It was clear that, if certain measures were taken and the indicators went down, and if people made sure that they followed the rules, the result would be that their area would go down the levels. However, a new set of rules was introduced yesterday, with extra caution in place. We did not know about that. Apparently, Christmas is a time when people go shopping—we never knew that before. Suddenly, there was a new rule in the framework. We needed clarity and certainty, but we did not get that in yesterday's announcement, and the Government has lost a certain amount of confidence.

**The Deputy Presiding Officer:** We move to the open debate. Speeches should be a strict four minutes, as we are a bit pushed for time.

16:57

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** I draw members' attention to my entry in the register of interests.

Despite valiant efforts by businesses and their employees up and down Scotland, there have been widespread job losses and a continuing air of uncertainty hangs over our cities and towns as we reach the Christmas festive period. On top of that uncertainty, resentment has grown among businesses about the lack of Scottish Government support—it has been slow to deliver that support.

The chief executive of VisitScotland, Malcolm Roughead, has just sent out an email in which he states that there is a high level of stress out there as everyone tries to stick to the rules while

keeping their businesses afloat. That really sums up what is going on out there.

No sector has felt that more than the Scottish hospitality and tourism industry. The restrictions meant that stays in hotels and in self-catering and bed and breakfast premises dried up overnight. I will put that in plain words by sharing with members recent findings from the newly formed South of Scotland Destination Alliance. It found that the tier restrictions “wiped out” any prospect of visitors coming to the south of Scotland. An eye-watering 94 per cent of tourism-related businesses had cancellations across the south of Scotland and a third of businesses saw between 90 and 100 per cent of their bookings disappear.

The consequences of those cancellations were stark. They resulted in a collective loss of just over £1 million across the 83 businesses that were surveyed and £0.5 million of income lost as a direct result of the introduction of Scottish levels. It is true that the Parliament agreed to and voted for those restrictions, but that equates to an average of £6,680 per business. Businesses simply cannot make ends meet, let alone bear the cost of the bills that they are incurring for rent, wages and stock.

It is only today, after the Scottish Conservatives’ sustained calls for the Government to get the cash out of the door, that support has been provided for businesses that have been left out purely as a result of badly thought-through Government eligibility criteria, which have affected wedding companies, taxi drivers and self-catering operators. We await the detail on the latter.

A solution is clear. Our motion calls on the Scottish Government to provide a cushion for businesses for what has been deemed “three winters in a row” by committing to extending rates relief for the sector, including retail, which David Lonsdale of the Scottish Retail Consortium supports.

We have consistently called for a coronavirus business advisory council, which might have assisted the Government to understand a bit more quickly why businesses were falling through the cracks because of ineligibility. I am glad that the Labour Party’s amendment recognises that, too, and I thank Alex Rowley for that. I do not agree with Patrick Harvie that such a council would be a talking shop for corona deniers, and it is short-sighted of him not to recognise a collegiate approach.

I turn to the minister’s amendment. We agree that we are fortunate that Scotland has benefited significantly throughout the pandemic from the scale of the support that has been provided to Scotland. *[Interruption.]*

**The Deputy Presiding Officer:** Excuse me, Ms Hamilton. There are two gentlemen who are being very rude while you are speaking, and I ask them to desist.

**Rachael Hamilton:** Thank you, Presiding Officer.

Our union of four nations has wrapped its arms around Scotland and cushioned us from an unprecedented economic shock by protecting jobs and livelihoods to the tune of £9.5 billion. In September, the Scottish Government’s independent economic and fiscal forecaster said:

“The largest increase in spending in Scotland has been through UK-wide schemes”.

In addition, David Phillips of the Institute for Fiscal Studies highlighted the fact that the Scottish budget has been boosted by 14 per cent since the projections that were set out in February. As we know, that has been driven largely by extra funding from the UK Government.

Struggling businesses are not interested in politicking in the form of an SNP amendment. They know that additional funding was received in the spending review. That was weeks ago, but it is only today that we have heard how it has been allocated. Policy choices are in the gift of the Scottish Government.

That is precisely why we had to bring the debate to the chamber. Businesses want answers and clarity, not an exhaustive wish list that delays addressing the emergency that we now find ourselves in. Time is running out—as is the time that I have left for my speech—and Liz Cameron agrees. She said:

“For many, January will be too late to save business owners, their families and their employees from economic ruin.”

**The Deputy Presiding Officer:** Time is very short, as I said. I ask members to please bear that in mind.

17:02

**Gordon MacDonald (Edinburgh Pentlands) (SNP):** The Conservatives’ motion calls on the Scottish Government

“to provide certainty for businesses next year by committing to extending the non-domestic rates poundage freeze and the rates relief for hospitality, leisure and retail businesses into 2021-22”.

The Scottish Government provided 100 per cent rates relief for the retail, hospitality and leisure sectors for this year. It is difficult for it to make decisions for 2021-22, as the Tory Government’s spending review at the end of November did not provide clarity on its budget plans, specifically around non-domestic rates for the next financial year. As the Tories are well aware, the Scottish

budget is dependent on the generation of consequential funding via the Barnett formula. Scottish businesses need certainty, but so does the Scottish Government for next year's budget, so that it can continue to provide that support for businesses.

Following the Tory Chancellor of the Exchequer's announcement at the end of November, the head of business rates at the commercial property company Colliers International stated:

"It's also worrying that the Chancellor has not mentioned a timeline for when he will announce on the 'Rates issue'. Although the statement today was not a tax review, it is inconceivable if he feels he can wait until the March Budget to discuss changes to the business rates system. By then many retailers will have made their plans for the forthcoming year and many of these will include closures and job losses in anticipation of the big bills coming through the letterbox."

As the minister said, the Scottish Government is committed to creating a tailored package of business support measures, including rates relief, that best meets Scotland's needs, and it is important that the package is tailored to those who need it most. In recent weeks, we have witnessed many supermarkets and discounters hand back to the UK Government £1.8 billion of business rates relief, following a backlash. The sector has rightly been criticised for paying huge dividends to shareholders while receiving taxpayer support that was designed to help businesses that have been crippled by the pandemic to survive.

A recent KPMG report on UK retail sector trends in 2020 highlights that many retailers have fared very well during the pandemic, with some having double-digit increases in sales. Those included supermarkets, retailers in the furniture and homeware sectors, do-it-yourself retailers and those that sell electronic goods. Those high-street brands that have good internet presence, such as Argos, Next, Boots, GAME and Wickes, are among the biggest winners. Hospitality, leisure and most clothing and footwear retailers need our support, however, and the Scottish Government should provide that additional support when it is in a position to do so.

I have highlighted that the Scottish Government requires certainty in order that it can consider business rates relief for next year, and that position is confirmed by the Finance and Constitution Committee in its pre-budget scrutiny report. In its conclusion, it states:

"The Committee recognises the enormity of the economic and fiscal challenge facing the Scottish Government in preparing next year's Budget."

With the support of the Conservative members of the committee, it states:

"without its own borrowing powers to fund day to day spending, the Scottish Government is largely constrained by UK spend and policy decisions when determining its own COVID-19 related spending and policies. For example, it would be very challenging for the Cabinet Secretary to continue with policies like business rates relief, in its current form, without Barnett consequentials."

I therefore ask Conservative members to support their colleagues on the Finance and Constitution Committee and get behind the Scottish Government's call for devolved borrowing powers so that we can provide the tailored support that Scottish businesses need.

**The Deputy Presiding Officer:** I remind everyone that we are pushed for time.

17:07

**Graham Simpson (Central Scotland) (Con):**

This is a really important debate and it is long overdue. The public health response to Covid-19 has been largely understandable, but let us be frank that the consequences of the pandemic have been extremely damaging and life changing for many people, and not in a good way. Livelihoods have been lost, the hopes and dreams of young people as they leave school or university have been put on hold or maybe dashed for ever, and people have lost careers.

All MSPs know that businesses have suffered, too. We know that there has been a colossal response from the UK Government because there had to be, and the Scottish Government, too, deserves praise for the work that it has put in. I was delighted to hear Kate Forbes announce earlier today that extra money will be dished out on a sectoral basis. However, we have not been able to help everyone, and people have fallen through the cracks.

Maurice Golden mentioned the hospitality sector, which is important not just to those who work in it but to all of us. It is been hollowed out and, to be frank, I fear for what will be left. We cannot force businesses to close and not fully reimburse them, but that is what has happened. Members will have received an email from the Scottish Beer & Pub Association, which highlights the difficulties that will be caused by Edinburgh being kept at level 3. It says that that decision could cost the sector £3.2 million between now and January and will see pubs close down. That is not good.

Too many businesses and people have struggled to get help. People such as taxi drivers, who have been mentioned in the debate, and sole traders who have not been in business for long have not received anything. Cabbies will have been pleased to hear about the £19 million from Kate Forbes to cover fixed costs, because, as we heard from Unite the Union today, many drivers

are regularly working 16 to 17-hour days, with a shift being determined as having been good if £50 is cleared. The Unite survey shows that 30 per cent of drivers have been unable to access any financial help from Government support schemes. According to the Federation of Small Businesses, one in five of its members in Scotland has had no support from the Scottish Government, so it is right that we are calling for a review to see where the gaps are.

For example, the Covid-19 strategic framework business fund is, on the face of it, a good idea. It is for businesses that are required to close by law or to significantly change their operations due to restrictions that apply from 2 November. However, in the application pages on North Lanarkshire Council's website, if someone answers "no" to the question

"Was your business trading on the 2nd November 2020?"

they are told that they are

"not eligible".

That is clearly a mistake—at least, I hope that it is. That sort of confusion should not be happening.

It would be easy to dismiss the idea of a coronavirus business advisory council as just another task force of the kind that Opposition parties call for—I have done that sort of thing myself. However, throughout this pandemic, Douglas Ross has been positive and his ideas have been helpful. He made that particular call in a speech to businesses, and he was right to do so, because businesses—the job creators—should be at the heart of Government decision making.

His other good ideas included a call for the SNP Government to co-operate with the UK Government to ensure parity of taxes between online and physical businesses. Mr Ross is nothing if not an optimist, and we should repay his optimism by supporting Maurice Golden's motion.

17:11

**Gillian Martin (Aberdeenshire East) (SNP):** It is a tale of two responses: one by the SNP-led Scottish Government for businesses in Scotland, and the other by the Tory-led Government for businesses where it has control. In Scotland, £2.8 billion was deployed quickly to many struggling businesses. Sectors that were hit particularly hard, such as hospitality, retail and leisure, were given rates relief of 100 per cent. Quite rightly, the Tories did the same for English businesses in those sectors.

All four countries were covered by the furlough scheme, which was funded by the UK Government's borrowing of money. Furlough money is very welcome, but it is not a gift—neither to the people of any UK nation nor from the UK

Government to any of the devolved Governments. In the end, it is paid for by taxpayers—those in Scotland as well as in other UK nations. Independent countries across Europe have their own furlough schemes; if Scotland were one of them, we too would have had our own.

I turn to differences in approach. In Scotland, support was made available not only to businesses that had to close; it was used to capture more types of business than were eligible for support in England—in particular, supply chain businesses and sole traders. Those funds include the strategic framework business fund and the local authority discretionary fund.

Other specific sectors have been helped, with, for example £17 million for the seafood and fishing sector, and an £11 million contingency fund for soft-play businesses that did not qualify for other grants. Grants were provided to businesses that were required by law to close, and to those that had to modify their operations in order to stay open. The small business bonus scheme continues to be a lifeline for small high street retailers, who have seen their income drop significantly. Three quarters of businesses with premises in Scotland have rates relief.

Might that need to be expanded? Yes. However, those who heard me ask Kate Forbes that question will also have heard that, to do it, consequentials would be needed from similar actions in England. Asking the Scottish Government to commit to spending in 2022, given that it has no idea of its budget, nor of the cost of Brexit, is complete fantasy.

Like many MSPs, I am advocating on behalf of businesses that have not qualified for support but which have still been hit very hard. I am confident that Kate Forbes will work with me, as she has with many MSPs across the chamber. I am encouraged by today's announcement of a further £185 million of additional business support, and the targeted support that she has outlined for events, hair and beauty, venues, travel agents, coach operators and others. That support has been advocated for by SNP, Labour, Liberal Democrat, Green and Tory members, and Alex Rowley was absolutely right to say that we all have a duty to do what we can collectively to save jobs.

However, it is in helping the many self-employed people that Scotland's finance and economy ministers have taken a markedly different approach from that of the UK Chancellor. Self-employed people are reliant on the contents of their tax returns up to April 2019 to be eligible for any UK Government support. If they became self-employed after that date—I have many friends in that situation—they will have to apply for universal credit; in effect, they will be plunged into penury. In

Scotland, we have addressed that with the newly self-employed hardship fund. Phase 1 has already delivered vital emergency support to people, and additional support of £15 million will be made available in the second phase.

I would have been far more impressed by Maurice Golden if, instead of asking for rates relief, which he knows the Government cannot commit to, he got behind asking for targeted help for the many sole traders and freelancers who have been left behind. Many of them are women, incidentally. Many of them have lost everything and are working in alternative minimum-wage jobs or are signing on to get by. However, I guess that those people do not vote Tory.

17:15

**James Kelly (Glasgow) (Lab):** This is an important debate. There are two central issues: how we support jobs in the economy, and how we ensure that money that has become available is distributed fairly throughout the country and to businesses and individuals who need it.

We all know that, throughout our communities, the pandemic has hit really hard and that it has had, and will continue to have, a massive effect on businesses and jobs. A person simply needs to walk down any main street to see that. There are businesses close to where I stay in Cambuslang that have not reopened since the pandemic struck in March. Small businesses are particularly hard hit. They have struggled in these very difficult times.

The issue of town centres is linked to that. People have started to change their shopping habits—they shop online more and more. I worry that, even when we emerge from the pandemic, some shops will not be able to—[*Inaudible.*]—because people have changed their shopping habits, never mind the impact that there has been on their jobs and incomes.

An issue that has to be looked at is how we ensure that people who have until now fallen through the gaps in business support receive the funding that has been announced today. For example, freelancers and people who do not have allocated business premises have previously not been able to obtain any support.

A number of members have spoken about the issue of relief and the moneys that large retailers have returned. Earlier, following the budget statement, Murdo Fraser referred to those retailers as great examples of “responsible capitalism”. Those businesses could do much more. There is no doubt that those shops have raked in a lot of profits over the period of the pandemic because they have been essential and that their staff have had to work in very difficult conditions. That is why

I have been pleased to support the GMB trade union campaign that calls on Asda to shut its stores and distribution centres in order to give its hard-pressed workers a day off on boxing day and on 2 January so that they can spend some time with their families over the festive period. That is only fair and reasonable.

The final issue that I want to touch on is youth unemployment. The Institute for Public Policy Research recently forecast that youth unemployment could rise as high as 140,000 as a result of the pandemic. Many studies show that younger people will be harder hit as a result of the economic downturn from the pandemic. We need to consider how some of the £570 million that Ms Forbes announced earlier can be allocated to cities such as Glasgow, which will be hard hit by youth unemployment.

There are big issues, and we have to ensure that there is support for jobs and the economy.

17:19

**John Mason (Glasgow Shettleston) (SNP):** I am very happy to take part in this debate on the economy.

It is ironic that the party that consistently argues for lower taxation and the subsequent inevitable cuts to public services has the gall to ask for increased public spending on business support. If the Conservatives are so keen on increasing public spending, I hope that they would support a tax rise in the budget next year. Maybe they would support a windfall tax at a UK level. How about increased tax for online businesses and others that have done so well throughout the pandemic? How about an increase in inheritance tax or capital gains tax?

We have already heard claims that there is a magic pot of money sitting somewhere that Kate Forbes can endlessly access. However, members know that the Finance and Constitution Committee has heard evidence that the Scottish Government has added to the resources that it has received from the UK Government. Much of the consequentials have already been spent; yesterday’s letter to the finance committee and today’s statement make that clear. Some money has to be kept for contingencies until 31 March 2021.

Most people, when they get their salary, do not spend it all on day 1. Rather, they keep it and spread it out over the month, keeping some for the bills that they know are coming up and some for emergencies, which are bound to happen from time to time. In the same way, we have to keep some money for consequentials up until the end of March.

Looking at the motion, I am interested in the phrase

“ensuring that businesses can access the support that they need”.

No government in any country can do that. Of course, we all want to help businesses as much as we can, but Covid is the enemy here and it is causing the damage. Covid has hit our citizens’ health and it is causing damage to our economy. The UK Government can borrow to an extent, but even that has its limits—it has now borrowed over £2 trillion and rising: that is something like £30,000 per head, which cannot continue.

The UK and maybe Scotland can raise taxes, but sadly, we cannot save every business. Are the Conservatives really arguing that no business should close and that Government should write a blank cheque for every business? That does not sound like normal Conservative policy, which, as I understand it, is that weaker businesses should be allowed to go to the wall. The Conservatives at Westminster have not given Debenhams the support that it needs. Are they saying that that is a mistake?

Then the Conservatives call in their motion for certainty for businesses for “next year”—presumably meaning from April 2021. First, no one can be certain at this point what will happen in April. Secondly, how can we have certainty for next year when the UK Conservative Government has refused to announce its budget at a responsible time? That will leave Wales, Northern Ireland and Scotland having to set their budgets in the dark. Surely members will accept that the UK is being irresponsible in that.

Thirdly, the UK Government has been incredibly poor at giving certainty to businesses with the furlough scheme, changing it at the last minute on several occasions. In contrast, countries such as France have given much more of a long-term plan. While I welcome the furlough scheme and its extension, I hope that Conservative members are embarrassed about the way in which their Government has treated business.

Fourthly and finally on the question of certainty, where is the certainty over Brexit? If the Conservatives were not so fixated on the constitution, they might do a better job of running the country and giving more certainty to business.

I said that I was happy to speak in this debate. It makes it so much easier when the Conservatives are in such a weak position.

**The Deputy Presiding Officer:** We move to the closing speeches.

17:23

**Alex Rowley:** In closing, I re-emphasise the importance of the debate. I will pick up on a few points.

I know that Patrick Harvie thinks that he knows everything, but what we are actually saying about the business advisory council is that we need to be able to bring together trade unions, businesses and small and medium-sized enterprises, which is an important point.

Graham Simpson made the point that we need to see where the gaps are and where things are working, because if we had done that earlier, we would have picked up that taxi drivers had not received support. Graham Simpson also said that we need to get the message out to local authorities that grants have been put in place to help people. We really need to see local authorities taking a proactive role in that, where that is not happening.

James Kelly mentioned youth unemployment. People aged between 16 and 24 currently make up 50 per cent of the hospitality workforce in Scotland. Youth unemployment has risen from 6.1 per cent to 14.5 per cent. We can link that to John Mason’s point about whether we should let weaker businesses go to the wall. The reason that most hospitality businesses are in difficulty is Covid and the restrictions that are in place. They are viable businesses, and if we support them to get through this period, we will be protecting those jobs for when they come out of it.

That is why this debate is important. It is not about Scotland versus England or the constitution. It is about what needs to happen and the fact that we need to listen to people in order to provide support.

On rates relief, the point has been made that there are SMEs and other businesses that fall through that gap. Yes, it was right for Tesco and others to hand back money, and I am sure that we would all urge others to do so, but there are SMEs that have to pay rates and that are struggling.

I take Ben Macpherson’s point that budget certainty is needed. The Finance and Constitution Committee is right to say to the UK Government that we need budget certainty in order to give certainty to businesses and local authorities. That is fair enough. We will not oppose the Government amendment, because we believe that it is about support for employees as well as for employers. That point was well made by Jamie Hepburn. We need to look at how we get that support and ensure that it gets to where it needs to go.

We support equally the Conservative motion in its call to look for where rates relief is needed and



where more support is needed, and to give that support.

James Kelly also picked up on support for workers and the campaign that the GMB is running. We need to recognise that shop workers and other workers have been on the front line. It is right to reward front-line health and social care workers, and we support the Government's awards for them, but many other workers have had a very difficult six to eight months on the front line. Patrick Harvie made the fair point that we need to be saying to businesses that although we will support them, we expect them to support their workforce who are on the front line. We need those workers to be treated with respect. The GMB campaign for public holidays, not just for Asda workers but for all workers, is one that I hope we would all support.

17:27

**The Minister for Public Finance and Migration (Ben Macpherson):** This has been an important debate in that it has emphasised through various contributions—particularly from Alex Rowley, Patrick Harvie, Willie Rennie and Gillian Martin—that we serve our constituents better when we support business in this very challenging scenario. We can strike a balance between the health measures that we need to take and supporting jobs if we collaborate, think collectively and are constructive with each other. I also note Graham Simpson's points in that regard.

We must find that balance, which is why, when Covid struck, the Scottish Government rapidly put in place a business support package worth more than £2.3 billion to provide lifeline support to businesses, using the consequential from the UK Treasury. It enabled businesses to close down safely and survive through the initial crisis, which protected jobs and livelihoods.

Today, the Cabinet Secretary for Finance announced a further £185 million to help businesses build resilience through the winter. It was great to hear such positive comments in the debate about the difference that that will make in relation to the issues that have been raised with MSPs across the Parliament.

We understand the economic impact that restrictions are having on businesses and the economic effects of businesses being required to close. We continue to work with businesses and, importantly, their partners in local government to ensure that we understand all those impacts as well as how best to support businesses effectively.

It is important for the Parliament to understand that civil servants and council officials have been working relentlessly to get grant funding out. They deserve our respect and appreciation. We face

together the sheer challenge of setting criteria that ensure that we get money out the door as quickly as possible, and we also must militate against fraud. We are helping as many different areas of the business communities as have been affected, within the limits of the financial constraints that we have.

I want to reassure members that I appreciate the calls for a business advisory council, but the Scottish Government's engagement with the business community has been and continues to be extensive and regular, as it has been since the early days of the pandemic.

**Rachael Hamilton:** If the Scottish Government has such extensive engagement with businesses, why has it taken so long to get the timing and eligibility criteria right, and to sort out the delays?

**Ben Macpherson:** Given the circumstances that we are in and the considerations that we have to go through, the schemes have been expedited at a remarkable rate, to the full credit of everyone who has been involved, including the business community, the Scottish Government and local government. There has been a remarkable collaborative effort, and that sense of collaboration and determination to help businesses is what we should take from today's debate, whatever the outcome of the vote. That is the most important thing.

All that matters when it comes to non-domestic rates. We have to acknowledge the facts in this situation, and the fact is that we cannot give non-domestic rates relief for retail, hospitality and leisure until we have assurances from the Treasury, because of the constitutional framework in which we are operating. The Opposition should work with us and we can work collectively to urge the UK Treasury to give us that clarity.

We should be working together in this situation instead of playing party politics. Maurice Golden said that we should not be playing party politics, so I hope that when he is summing up, Murdo Fraser's tone is much more consensual and collaborative, because that is what this situation demands of us as MSPs and as representatives of our constituents.

Staying with business rates, that sense of collective responsibility has been evidenced by some large businesses committing to repay the rates relief that they were given. We will ensure that an appropriate mechanism is available for them and others to donate the equivalent to Government, if they wish, but that will require collaboration with the Treasury, because donations are not normally made to the Government. Again, that is an area on which we need to work together, and all parties should focus on that.

I note the points that have been made about what we do in next year's budget, and, in the months ahead, we will continue to engage with trade unions, business organisations and all other parties on what will be an important budget.

We are doing what we can to meet the on-going challenges of Covid-19 and to support economic recovery, but we need the UK Government to give the Scottish Government the additional funding, assurances and powers that we need to respond. Our position on fiscal flexibility continues.

A lot of members referred to this, so I will reiterate the fact that the Scottish Parliament's cross-party Finance and Constitution Committee has now unanimously agreed that HM Treasury should reconsider giving the devolved Governments access to emergency borrowing during the crisis. It is essential for the UK Government to take action on that. I urge members to support our amendment.

17:33

**Murdo Fraser (Mid Scotland and Fife) (Con):**

This has been a timely and important debate. Every single one of us, whichever part of Scotland we represent, will have been contacted every day by constituents, businesses, people who are self-employed and people who are employed, all of whom are concerned about their economic situation and are looking for financial support.

Rachael Hamilton talked about the situation in tourism, which will be familiar to any member who represents any part of Scotland, but particularly those who represent rural areas where tourism is an important part of the economy. We have had big issues in parts of the country such as that which I represent, which have been in tier 3, where businesses are technically still allowed to operate but, because of the travel restrictions that have been brought in, their customers have not been able to travel. That has been the biggest impact for those who provide self-catering accommodation. Technically, they did not have to close, but their customer base has disappeared and, up to now, they have not got the required support.

Maurice Golden raised the issue of hospitality. We heard earlier this week from the Scottish hospitality group about support for pubs, and the information that it provided was quite striking. It said that the average support for pubs in England was £80 per week, in Northern Ireland it was £147 per week, in Wales it was £269 per week, but in Scotland it was just £64 per week.

That puts into context the remarks from Gillian Martin, who said how well the Scottish Government was doing in relation to other parts of the UK. That is not exclusively the case. There are

areas in which Scotland has not done so well. The evidence suggests other than what Gillian Martin suggested.

Ben Macpherson exhorted me to be consensual in my winding up and I do not want to disappoint him. In that tone, I welcome again the earlier announcements from the finance secretary. The sums of money—UK Treasury money, of course; £8.2 billion in the current financial year—being paid out to support tourism, the wedding sector, taxi drivers, the travel industry and all the other sectors that we know about are very welcome.

We should not be equivocal about that—it is welcome and people look forward to such announcements—but we must not see a delay in that money being paid out. I read earlier the comments from the Scottish Chambers of Commerce in response to Kate Forbes's announcement, which made it clear that there are businesses that cannot survive long into the new year. If the money is not paid out until January or later, that will create a real problem for many of them.

Nor must we have the sort of problems that Graham Simpson identified with applications. It is absolutely right that local authorities have done an extremely good job of trying to handle the numerous applications for grants and other financial support. That has put a huge burden on them. People in local government have worked hard to deliver that support, but mistakes have been made and we need to be very careful that barriers are not being put in the way of businesses that need that vital support.

I turn to the amendments, starting with Alex Rowley's. He did not talk very much about it when he was speaking, which was a pity because it is a good amendment. It makes reference to the money that is being handed back by large-scale retailers such as Tesco and Morrisons, which is very welcome. I agree with what Mr Macpherson said about the need for the Treasury to co-operate with the Scottish Government to make sure that that money comes back to Scotland and I read the letter from the finance secretary to the Chief Secretary to the Treasury about that.

That could bring another £200 million back into the Scottish Government's budget in the current year, which could be available for business support. When we add that together with the £300 million that is held in reserve, that is another half a billion pounds that is potentially available for supporting businesses and all the other things that we need to do. Let us not hear too much from the Scottish Government that every penny is accounted for—there are resources available.

**Jamie Hepburn:** Will Murdo Fraser set out how he will take forward and assist the process of

raising with the UK Government the necessity of putting a mechanism in place so that we can get that almost £200 million?

**Murdo Fraser:** I have an excellent working relationship with the Chief Secretary to the Treasury and speak to him on many occasions. I am happy to do what I can to oil the wheels of that process.

I turn to Mr Hepburn's amendment, since he has tempted me. In his speech, he quoted me saying yesterday that Scottish Government amendments were "credible and capable". Sadly, there is an exception to every rule and I am sorry to say that Mr Hepburn's amendment today seems to be the usual whinge about the lack of fiscal powers, not recognising—as the report from the Finance and Constitution Committee did unanimously—the benefit of the fiscal framework for Scotland in protecting the Scottish budget against a decline in Scottish tax revenues, provided that that is in line with what happens elsewhere in the UK.

We never hear from Mr Hepburn and his colleagues in the SNP how they would fill the black hole that there would be in the Scottish public finances if we went down the route of stand-alone finances in Scotland—a black hole that amounted to £15 billion a year even before a penny was spent on Covid. [*Interruption.*]

They do not want to hear this, Presiding Officer. Let us remember that the cumulative fiscal transfer from the rest of the UK to Scotland in the period from 2007, since the SNP came to power, amounts to £62 billion. They never want to talk about that.

It is a little ironic that SNP members are talking about public finances on the very day when we read a report from a committee of this Parliament that talks about a "catastrophic" handling of ferry contracts that cost the taxpayer £200 million. This week, it is £200 million—last week, it was BiFab and £50 million of taxpayers' money down the drain. One would think that the Scottish Government, before demanding more fiscal powers, would want to demonstrate that it can use the ones that it has a bit more effectively— [*Interruption.*]

I have to wind up, although I could say much more. Mr Russell is heckling me from a sedentary position— [*Interruption.*]

I am so sorry, but I do not have time to give way to Mr Russell; that is a huge disappointment to me in this particular debate. As you know, Presiding Officer, I am never tired of hearing from Mr Russell.

This has been a welcome debate. There have been some good announcements by the Scottish Government, and some good contributions from

members on all sides of the chamber on what more needs to be done. Businesses need certainty and security for the future—that is what the motion in the name of Maurice Golden says, and that is why members should support it tonight.

## Coronavirus Acts Report

**The Presiding Officer (Ken Macintosh):** The next item of business is a statement from the Cabinet Secretary for the Constitution, Europe and External Affairs, Michael Russell, on “Coronavirus Acts: Fourth Report to Scottish Parliament”.

17:41

**The Cabinet Secretary for the Constitution, Europe and External Affairs (Michael Russell):** I am pleased to lay before the Parliament “Coronavirus Acts: Fourth Report to Scottish Parliament”. The report covers provisions in both the Scottish Covid acts—the Coronavirus (Scotland) Act 2020 and the Coronavirus (Scotland) (No 2) Act 2020—and the United Kingdom Coronavirus Act 2020. It covers the reporting period for the two months up to the end of November.

The measures in the UK act and the two Scottish acts continue to be important parts of our response to the continuing and significant public health risk and the economic challenges that are posed by the pandemic. In addition to the general reporting requirements under the legislation, we have continued to report in more detail on 22 provisions that we have judged to be of most significant impact or interest. We have also reported on a total of 60 Scottish statutory instruments that were not delivered under the Covid acts, but whose main purpose relates to coronavirus, as required under section 14 of the second Scottish act.

The report’s contents—it is a very full report—also fulfil the requirement to take account of available information about the nature and number of instances of domestic abuse during the reporting period. It also includes examples of the Scottish Government’s wider action to support women and children who are at risk of, or are experiencing, domestic abuse.

From the outset of the pandemic, we have made it a central objective to put equalities at the heart of our response to Covid. In the latest report, we continue to include information on rights and equality impacts. That is key to ensuring that human rights are respected, protected and fulfilled, and that equality objectives are achieved. We will continue to work to consider carefully recommendations and best practice that come from the work that is being undertaken by the Parliament, stakeholders and others to ensure that human rights, children’s rights and equalities are protected at this time.

During the reporting period we have, as in previous periods, continued to adopt an approach to the extension, suspension and expiry of

provisions in the Scottish acts that is proportionate and appropriate to the scale of the on-going risks that are posed by the coronavirus. That reflects our commitment that provisions will not remain in place unless they are necessary.

I turn to the provisions of the UK Coronavirus Act 2020. There is one provision in particular on which I wish to provide an update. In my statement to the Parliament two months ago on our third report, and following input from local authorities and from human rights and carers organisations, I noted the Scottish Government’s intention to develop regulations to suspend the provisions in section 16 of the UK act relating to social care need assessments, as they apply to adult services. I can now confirm that we have done so during the reporting period, with the suspension ensuring that we can bring back the powers in the future, if necessary.

However, there remains the potential that demand on children’s services will increase over the winter. Any delays in response times that could leave children unprotected or leave families without prompt support would be regretted. Ministers have therefore agreed that it is appropriate at this time to maintain the flexibility for local authorities to use the powers in respect of children services, where it is essential that they do so in order to provide urgent care without delay.

Our report again highlights that there are some provisions that have not been commenced, and some that have been commenced but not used, either extensively or at all, since they came into force. We consider that, together, the provisions continue to be necessary, either as important tools, as we regularly consider protection levels in our strategic framework, or because they might be required in order to enable us to respond to a future resurgence of the virus.

The report demonstrates that accountability continues to be integral to our efforts to suppress the virus, and the two-monthly reporting process continues to be a key part of aiding transparency with regard to how powers have been used.

The Government has also taken account of concerns that were raised by members during previous reporting rounds—I remember Graham Simpson raising them at an early date—about the role of the Parliament in scrutinising regulations that are made to supplement the Covid strategic framework. The Government is always mindful of its duty to be held accountable by the Parliament; there was a debate on that matter yesterday. To that end, the Scottish ministers have worked constructively with the Parliament to agree additional arrangements to enhance scrutiny of such proposals. That weekly cycle affords members the opportunity to scrutinise any proposed changes to levels-based regulations

relating to the strategic framework before such changes come into effect.

Those changes, which reaffirm—although I hope that that is not needed—the commitment to be accountable to the Parliament, are clearly set within a wider context of regular ministerial appearances, both in plenary and before committees, to give evidence on a range of issues relating to the pandemic. I, myself, have agreed over the course of the most recent reporting period to attend the Parliament's COVID-19 Committee as a standing weekly item up to and probably beyond the Christmas recess. My colleague Humza Yousaf regularly appears before the Health and Sport Committee to give evidence on travel-related health restrictions, and the First Minister has been reporting weekly. The Cabinet Secretary for Health and Sport and the Deputy First Minister have also made appearances.

Since my statement in the chamber on our third report, the Scottish Government has adapted its approach to the evolving impacts of coronavirus by bringing into effect "Coronavirus (COVID-19): Scotland's Strategic Framework". The framework, which came into effect on 2 November, clearly sets out the five levels of restrictions that may apply in Scotland at any one time. We want the new levels to be clear and proportionate, which is a key reason for moving to that approach.

I conclude by noting that, as is required by section 15 of the first Scottish act, the Coronavirus (Scotland) Act 2020, and section 12 of the second Scottish act, the Coronavirus (Scotland) (No 2) Act 2020, Scottish ministers have conducted a review of the provisions in part 1 of both acts and have prepared the report that is now before the Parliament. We are satisfied that the status of the provisions that are set out in part 1 of the acts, as at 30 November, remain appropriate.

We have also undertaken a review of the Scottish statutory instruments to which section 14 of the second Scottish act applies. Scottish ministers are satisfied that the status of those SSIs at the end of the reporting period is appropriate.

A review has also been conducted of the provisions of the UK act for which the Scottish Parliament gave its consent, and we are satisfied that the status of those provisions, too, is appropriate.

I will end on a positive point. Within a small number of days since regulatory approval, we are now, this very week, seeing the beginning of the vaccine being administered in Scotland. I am sure that we are united across the chamber in our hope that, after many long months, the corner has been turned in the fight to gain the upper hand against the virus.

In the interim, however, we must continue to take all necessary steps to protect ourselves and our vital public services. The provisions that I am reporting on today are one vital component of that on-going response. We all hope—I very much hope—that the need for the provisions can be consigned to the history books as soon as possible. Until that happy day arrives, we shall continue to do the duty to which we agreed: to report on the use of the powers to the Parliament, and to be held accountable for that use, on a regular basis.

As I said, this is the fourth time that I have reported on the legislation. We will continue with the two-monthly cycle, as is required by the legislation. I welcome the opportunity of engagement with the Parliament, as it considers the report and the wider issues.

**Donald Cameron (Highlands and Islands) (Con):** I thank the cabinet secretary for prior sight of his statement, and I welcome the publication of "Coronavirus Acts: fourth report to Scottish Parliament", which, as the cabinet secretary stated, covers provisions both in the Scottish acts and in the overarching UK act. I note in particular the mention of the rights of children who have been significantly impacted by the pandemic and the subsequent legislation, as is reflected in the many submissions that have been received from children's organisations by the COVID-19 Committee.

The cabinet secretary will know that the coronavirus emergency legislation and the regulations made under it have a general date of expiry of 31 March 2021. At present, assuming no changes, that date comes after the proposed date of dissolution of this parliamentary session, and it will fall during the Scottish parliamentary election campaign. That being so, what are the Scottish Government's current intentions in respect of the expiry of the legislation? Are there any contingency plans in place to deal with the potential scenario whereby the Parliament is dissolved but there is an on-going need for scrutiny of Government decision making?

**Michael Russell:** I thank Donald Cameron for his question. As the convener of the COVID-19 Committee, he is familiar with the reporting process and absolutely correct to say that the act will expire at the end of March, that only one renewal is possible under the terms of the original act, and that if the act were therefore renewed on 31 March, it would expire at the end of September. It is also the situation that the next two-monthly report falls due at the end of February. I am happy to discuss the matter with the convener of the committee and then with the wider Parliament. It seems to me that, if we are to report at the end of February, as we will have to, we should also

consider the issue of renewal at that time, so that there cannot be a hiatus during the election campaign.

It would be possible to consider the issue later than that, but we should at least start at that time to consider what we should do to carry the process forward and how we should do it. The next reporting period lies during the election itself, so we will have to make an arrangement to ensure that the matter is dealt with in some way.

I would like to commit to the consideration of those matters over the next reporting period, so that we can come to an agreement across the Parliament about how we will take the process forward, because that would be the best way to do it. We do not know precisely what the situation will be in February and March, given that it moves fast, but it would be best to put ourselves in the position to be prepared and to have the necessary provisions available.

**Anas Sarwar (Glasgow) (Lab):** I thank the cabinet secretary for advance sight of his statement. I also pay tribute to the public who, due to the coronavirus acts, have had to make huge sacrifices—people have had limited weddings, funerals and hospital and care visits. The cabinet secretary referred to the vaccine, which is of course a light at the end of the tunnel, but there is still a long road to go before we can be completely out of the restrictions and away from the need for any of these acts.

In his statement, the cabinet secretary also made important references to human rights. What work has been done to limit the violations that many feel there have been to the human rights of our care home staff and care home residents and their families, particularly in the run-up to Christmas, when people will feel the missing of a loved one even more sharply and will want to be close to them?

The cabinet secretary also referred to the Parliament's scrutiny role. We had a debate on that point yesterday and it was reiterated that we need the important statements to be made in the chamber. More data sharing would also be welcomed by members across the chamber and by the public.

Finally, could the cabinet secretary consider the issue of the flying of kites? We often have statements put out either through leaks or in briefings about things that might happen or might be announced at some point in the future, and the public are then left on tenterhooks to see what the announcement will be. We already have an anxious public, so that is not the right thing to do. Can the cabinet secretary consider all those things in this next phase?

**Michael Russell:** I welcome Anas Sarwar to this discussion. I think that it is the first time that he has dealt with this subject in his new role.

The issue of speculation has been raised again and again. Mr Sarwar's predecessor in his role raised it, if I remember correctly. It is undesirable to have that speculation, but we have a free press and people are entitled to speculate if they wish to do so. Regrettably, politicians across parties leak or speculate themselves, and I advise them not to do so, because it is unhelpful. Every week that I have been at the Covid-19 Committee, I have stressed that we all have a leadership role in these matters and that we should give accurate information but not stoke fear and concern.

Too often, I hear questions that start with, "People are nervous about", "People are concerned about", or, "People are telling me that they are concerned about". We should be cautious about that phrasing and try to give accurate information on all occasions. I am at one with Mr Sarwar on this matter, and if he can bring his influence to bear on it, I would be willing to work with him to ensure that such as shift happens.

The vast majority of the data—virtually all of it—is shared and published regularly. Tuesday, or yesterday—it is sometimes difficult to remember which day of the week it is, with so much data coming out—we saw yet again the publication of all the material, including the material on each of the local authority areas and a number of criteria. That will continue to be the case. The dashboard of information is immensely detailed. I do not think that there is a shortage of data, but it is always difficult to know where and how to get at it, and I am sure that we can assist in that regard in lots of ways.

From the very beginning, we have been concerned to ensure that human rights issues are considered in the report, and we continue to be so. As Anas Sarwar will see from the report, for each area that we consider, we take into account those human rights considerations. The issue of visiting loved ones in care homes is immensely important—we apply the human rights concern to that profoundly, and will continue to do so. If there are other ways in which we can do that, I am open to suggestions.

On the subject of limits, this process has led to changes being made. For example, in relation to the second coronavirus act, there was a lot of debate about the issue of marriage. Through this process, we have continued to find ways to make access to marriage easier, as we should continue to do. There was a period during which no marriages were taking place. I pay tribute to Adam Tomkins, who was deeply involved in looking at the emergency arrangements that were in place, and we will continue to consider that issue. It is

very hard for people to have limited attendance at significant life events. I was at a funeral recently, and I know how difficult it is. Unfortunately, due to the emotional intensity of such events, and what they often lead to in terms of the spread of disease, it is necessary to recognise that they are vectors and act accordingly.

**Andy Wightman (Lothian) (Green):** I am pleased to see the inclusion of rights and equality impacts in the report. As the cabinet secretary will know, I have been concerned about how the Parliament upholds our citizens' rights to a home. I welcome the First Minister's announcement that sheriffs will be prevented from evicting anyone from their home until 22 January. However, will the Government recognise that the provisions could still lead to a number of people being evicted at the end of January? I see that the draft regulations ban evictions until 22 January, but no provisions are included for tenants living in level 3 and 4 areas, whom the guidance already states should not be evicted. Will the cabinet secretary consider introducing legislation that will make sure that such people living in levels 3 and 4 continue to have protections?

**Michael Russell:** Mr Wightman has addressed the issue on many occasions, and I acknowledge his expertise and concerns in the area. I assure him that his aim and the aim of the Scottish Government are the same: to ensure that nobody should be evicted from their home if that can possibly be avoided.

However, we cannot use the term "nobody" absolutely, because there will be circumstances—which will be presented to us by members from across the chamber—in which some individuals behave in such a thoroughly disreputable and damaging way towards their neighbours or others that, in the end, the only solution is to end the tenancy. In the vast majority of cases, particularly when there are difficulties due to the pandemic itself, we should ensure that nobody is evicted from their home.

We have managed to create a set of circumstances between now and the end of January in which people will not be evicted, and I hope that Andy Wightman will engage in earnest conversation with the relevant minister to ensure that we can create those circumstances after then and we can provide support to make sure that those who are responsible for and own the property are also not put in an impossible situation. That is our aim, which I hope Mr Wightman shares.

**Willie Rennie (North East Fife) (LD):** Regulations are only laid to change a level, so there is no vote this week on keeping Edinburgh, Perth and Kinross, Fife and Midlothian at level 3, despite their meeting the level 2 indicators. Does

the cabinet secretary think that there should be a vote on such controversial non-changes?

In England, those with newborn babies can form a care bubble. Can we change the extended household criteria in Scotland to allow that to happen here as well?

**Michael Russell:** On the second point, I would want to take advice, and I guarantee to Mr Rennie that he will get a response quickly. His inquiry is noted, but I do not want to give him a commitment without knowing the full facts.

With regard to regulations, the COVID-19 Committee will tomorrow have a significant opportunity to comment on the situation. I think that Mr Rennie has been to the committee on more than one occasion. The committee—I put this as kindly as possible—does not confine itself to the immediate issues at hand, and questions will range widely. I would be pretty astonished if the issue was not raised tomorrow. However, I do not think we would consider a vote on a non-change on this occasion.

Serious consideration is given to these matters. Yesterday, the First Minister outlined the considerations in exhaustive detail, and I am quite prepared to go into them again tomorrow. Of course, further consideration will be given next Tuesday.

Willie Rennie is a fair-minded man—he looks quizzical, but he will know himself whether he is a fair-minded man; my opinion of him is that he is, which might be taken as generous, but that is my opinion. Seriously, I think that he is a fair-minded man.

A great deal of thought and effort goes into deciding what to do. At the moment, one of the factors is undoubtedly the issue of the likelihood—I hope that it is not an inevitability—of a rising number of infections as a result of the changes over Christmas. That must weigh upon us, as well as every other consideration. However, I assure Mr Rennie that there is exhaustive—and exhausting—consideration of what is the right thing to do at this time.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** Could the cabinet secretary expand on how the Scottish Government will take account of the nature and number of domestic abuse incidents when renewing the operation of the provisions in the Scottish and UK coronavirus acts?

**Michael Russell:** The issue of domestic abuse will be one of concern as we come out of the crisis. The figures indicate a rise of, I think, 7 per cent, year on year, which is concerning.

The report, which I commend to the member, deals with some of the wider considerations and

the actions that have been taken. However, we need to renew our focus on the issue, given the information that the report provides to us. I am glad that the requirement to provide information on the issue was inserted in the legislation; I think that Pauline McNeill was the moving spirit behind that. Now that we have seen that information, we need to renew our focus and our actions to ensure that that utterly unacceptable set of behaviours is eliminated. We have in the report evidence that we must act even more firmly on the issue. The Government is acting, and will continue to act, on the issue, and the report indicates that.

**Murdo Fraser (Mid Scotland and Fife) (Con):** I want to ask the cabinet secretary a question about regulations that are made under emergency legislation. Members cannot amend regulations; they must simply vote for or against them. Therefore, even though members might have concerns about one aspect of the regulations—for example, the introduction of a travel ban—if they support the other measures that have been introduced, they have a simple choice either to vote for or against them in their entirety. Will the cabinet secretary consider whether issues can be separated out in distinct regulations, rather than aggregating them together?

**Michael Russell:** There is an important point here. We endeavour to ensure that the regulations and the legislation are comprehensive but clear. I will reflect on the need to separate out regulations more fully, although I am a bit reluctant to increase the number of regulations.

On the specific issue of the travel ban, I think that the publication of the information today should give the member and others pause for thought. There is clear scientific evidence that travel is a major issue in the communication and spread of the virus. We see that from the evidence that is published today; we see that in relation to inter-island travel and external travel. We should be very conscious of that when talking about opposing a travel ban.

I am aware that, at last week's COVID-19 Committee, there was opposition to the travel regulations; indeed, Monica Lennon moved against them. The travel regulations are an essential part of the measures. If the member doubts that, I seriously commend to him the exposition that the chief medical officer gave on the matter at that committee meeting. I thought that that was one of the best expositions that I have heard—I am sure that it reads well, too—about why the travel issue is so important and why it should be treated seriously. The travel ban is a difficulty for people, but it is an effective tool in trying to suppress and eliminate the virus.

**Willie Coffey (Kilmarnock and Irvine Valley) (SNP):** The cabinet secretary will be aware of the

importance of making as clear as possible any new arrangements for restrictions or relaxations for our small businesses, especially the many owners of barber shops and hair salons in my constituency, and across Scotland, who were delighted to hear that they can open from 6 am on Friday. Will he ensure that, as far as possible, any announcements on changes in arrangements that take place during the coming weeks include clear timescales, so that our small businesses can prepare as early as possible and let their customers know exactly when they will be open for business?

**Michael Russell:** That is exactly what was done, and it is also exactly what will be done in future. It was quite clear that that was what the First Minister announced, and it has been warmly welcomed. We should be absolutely sure that when a change of that nature is made it is both clear and welcomed in that way. I hope that the member will join me in welcoming that.

**Colin Smyth (South Scotland) (Lab):** The Welsh Government recently updated its travel regulations to allow travel between Wales and tier 1 or 2 areas of England, reflecting the fact that England is now out of lockdown. Why has the Scottish Government not done likewise? For example, a constituent of mine can travel from Dumfries and Galloway to meet a family member in Aberdeenshire, but they cannot travel a few miles to Cumbria, where the prevalence of Covid cases is lower than that in Aberdeenshire. Will the cabinet secretary explain the logic behind that? To use his term, why is such a regulation “appropriate”?

**Michael Russell:** Because the travel vector remains significant. I saw that the First Minister was asked that specific question about Cumbria this morning. The person who asked it—I do not know who it was—quoted an unnamed member of the Scottish Parliament. The First Minister's answer was very clear: the regulation concerns the effective nature of the actions that we take to suppress the virus. Travel restrictions are an important part of that approach. As they are relaxed or removed, we must factor into our calculation the likely effect of such relaxation or removal.

At the present moment, the view is—*[Interruption.]* It will not make any difference if people shout about that; it is far too important an issue for the type of political argy-bargy that I hear taking place in parts of the chamber. It is extremely important that we understand—*[Interruption.]* Again, I draw members' attention to the exposition given to the COVID-19 Committee last week by the chief medical officer—a man who is well qualified on the matter—who explained why travel is a hugely difficult issue. I also go back to



the report that has been published today, which proves the point.

No one wishes to see travel restrictions being put in place. However, if there is a view that such restrictions are unnecessary, that will not help—in fact, it will directly hinder the work that needs to be undertaken to suppress and contain the virus. No amount of shaking of heads will make any difference to that, because

“facts are chieftains that winna ding”.

**Annabelle Ewing (Cowdenbeath) (SNP):** It is self-evident that the work undertaken to review emergency legislation must be done at pace and within tight timescales. Will the cabinet secretary therefore confirm that there has been on-going stakeholder engagement and consultation on whether these emergency provisions continue to be necessary?

**Michael Russell:** There is on-going stakeholder consultation, which is regular and, indeed, constant.

If I might bring myself back to the report that I am tabling today, it makes it clear that we take every opportunity to discuss with stakeholders the issues arising from the legislation and the regulations. There is a regular relationship between ministers, officials and stakeholders right across the board. Stakeholders are very much listened to in that exchange of information. I know the extent of the effort that goes into, for example, talking to local authorities about such issues. It is absolutely untrue to suggest that that is not being done with the widest consultation and the deepest thought.

**Maurice Corry (West Scotland) (Con):** I appreciate that the Scottish Government has regularly considered levels of public protection during the pandemic, but how robust does the cabinet secretary believe the reporting mechanism is for instances of domestic abuse? How robust has the corresponding flow of information been during the current pandemic?

**Michael Russell:** I will deal with that in two parts. Of course, there is always a question about the robustness of data, but our figures indicate a year-on-year rise, which is of considerable concern. I do not know whether that rise might be slightly smaller or larger in different data collection systems, but it points to the fact that domestic abuse has increased during the period, so we should act accordingly.

On wider aspects of the robustness of data, and on a matter that will be close to home for Maurice Corry, we have seen reports of the recent incident at Faslane. We also know that there has been a considerable number of similar cases. The robustness of that data feeds through into the

decisions that are made, for example, about the status of Argyll and Bute. We heard that point raised in the chamber yesterday and we heard the First Minister's response to it. My own preference would be that Argyll and Bute was not in level 2, but the robustness of the data and the issues that it raises mean that a cautious approach is required.

We should have confidence in the data; we should have confidence in how the data is reported; and we should have confidence in the criteria that are selected and in the judgment that is then applied to them. It is that final issue that the debate in this chamber is often about: the judgment that is applied to that data. That is a matter for each one of us, but I think that the judgment that is applied as a result of the scientific and professional advice we get from clinicians is exceptionally important, and we should be very cautious before we gainsay it.

**The Presiding Officer:** Thank you. Stuart McMillan is next. *[Interruption.]* Mr McMillan, your sound is not working. I will see whether we can bring your microphone up. Can you try again, Mr McMillan? *[Interruption.]* No, it is still not working. I will take James Dornan and then come back to you, Mr McMillan.

**James Dornan (Glasgow Cathcart) (SNP):** — *[Inaudible.]*—until March 2021, but could the cabinet secretary outline what additional interventions the Government has made to protect renters during this difficult time?

**Michael Russell:** I heard only the second part of the question; I will presume that the question is about arrangements on rental up until March 2021. If that was the question, I point out that the report deals with retrospective issues, not prospective issues. However, as I have indicated to Andy Wightman, there are arrangements in place in relation to evictions that take us up to January. There are still prohibitions on evictions and I made a clear commitment on behalf of the housing minister that he would continue to consult on the issue and to discuss with members what further protections are required.

I should stress that we cannot supplement the protections in relation to the acts on which I am reporting—that legislation and the regulations exist. However, as we have seen with the prohibition on eviction over Christmas and the new year, additional actions can be taken outwith the coronavirus acts and the reporting on them to deal with these matters. I know that the issues are kept under constant review.

**The Presiding Officer:** Thank you—we will try Stuart McMillan again. *[Interruption.]* Apologies, Mr McMillan, but there is still a problem with your sound. If Mr McMillan submits a written question,

perhaps the cabinet secretary could give a written reply—the cabinet secretary is nodding his agreement. Thank you. On that note, we conclude the ministerial statement.

## Business Motions

18:13

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of business motion S5M-23638, 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 15 December 2020

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions

*followed by* Ministerial Statement: COVID-19

*followed by* Ministerial Statement: Managing Scotland's Fisheries in the Future

*followed by* Stage 1 debate: Hate Crime and Public Order (Scotland) Bill

*followed by* Financial Resolution: Hate Crime and Public Order (Scotland) Bill

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

6.30 pm Decision Time

*followed by* Members' Business

Wednesday 16 December 2020

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions:  
Justice and the Law Officers;  
Constitution, Europe and External Affairs

*followed by* Stage 1 Debate: Scottish Parliamentary Standards (Sexual Harassment and Complaints Process) Bill

*followed by* Scottish Government Business

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.10 pm Decision Time

*followed by* Members' Business

Thursday 17 December 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions:  
Economy, Fair Work and Culture

*followed by* Ministerial Statement: Supporting EU, EEA and Swiss Citizens to Stay in

Scotland

*Motion agreed to.*

*followed by* Stage 1 Debate: Redress for Survivors  
(Historical Child Abuse in Care)  
(Scotland) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

6.05 pm Decision Time

Tuesday 22 December 2020

2.00 pm Time for Reflection

*followed by* Parliamentary Bureau Motions

*followed by* Topical Questions

*followed by* Ministerial Statement: COVID-19

*followed by* Stage 3 Proceedings: UK Withdrawal  
from the European Union (Continuity)  
(Scotland) Bill

*followed by* Committee Announcements

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

5.30 pm Decision Time

*followed by* Members' Business

Wednesday 23 December 2020

12.20 pm Parliamentary Bureau Motions

12.20 pm First Minister's Questions

2.00 pm Parliamentary Bureau Motions

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

*followed by* Stage 3: Scottish General Election  
(Coronavirus) Bill

*followed by* Business Motions

*followed by* Parliamentary Bureau Motions

*followed by* Approval of SSIs (if required)

5.35 pm Decision Time

*followed by* Members' Business

(b) that, for the purposes of Portfolio Questions in the week beginning 14 December 2020, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.—[*Graeme Dey*]

*Motion agreed to.*

**The Presiding Officer:** The next item is consideration of business motion S5M-23639, on the stage 1 timetable for a bill. I call Graeme Dey, on behalf of the Parliamentary Bureau, to move the motion.

*Motion moved,*

That the Parliament agrees that consideration of the European Charter of Local Self-Government (Incorporation) (Scotland) Bill at stage 1 be completed by 5 February 2021.—[*Graeme Dey*]

## Parliamentary Bureau Motions

**The Presiding Officer (Ken Macintosh):** The next item of business is consideration of Parliamentary Bureau motion S5M-23640, on the approval of a Scottish statutory instrument. It is the one that refers to travel restrictions. I call Graeme Dey, on behalf of the Parliamentary Bureau, to speak to and move the motion.

18:15

**The Minister for Parliamentary Business and Veterans (Graeme Dey):** The purpose of the Scottish statutory instrument is to amend the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No 3) Regulations 2020, to move 11 areas of Scotland into level 4 and to introduce travel restrictions for people who are entering or leaving a level 3 or level 4 area. The regulations came into force on 20 November.

**The Presiding Officer:** Can I double-check, minister, to which SSI you were speaking? I was expecting you to speak to the travel restrictions SSI; that is, SSI 2020/389.

**Graeme Dey:** I think that we have a bit of confusion, Presiding Officer.

**The Presiding Officer:** Yes. I think that that particular one might have been SSI 2020/392. SSI 2020/389 is the one that restricts travel into and out of level 3 and 4 areas. That is the one that members of the committee moved against and which Colin Smyth wishes to speak against.

**Graeme Dey:** I apologise, Presiding Officer.

I move,

That the Parliament agrees that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No 3) Regulations 2020 (SSI 2020/389) be approved.

**The Presiding Officer:** Colin Smyth wishes to speak against the motion.

18:15

**Colin Smyth (South Scotland) (Lab):** One of the consequences of the Parliament not voting on or scrutinising Covid regulations until several weeks after they have been imposed is that the regulations can be out of date when we eventually come to debate the matter.

That is certainly the case with the regulations on travel. They were introduced at a time when England was in lockdown, Wales had a ban on non-essential cross-border travel and Northern Ireland was considering what further action was needed to bring the virus under control there. However, England is no longer in lockdown and,

although there is, rightly, travel guidance in place, there are no legally enforceable travel restrictions south of the border or in Northern Ireland. Crucially, Wales has amended its travel regulations to allow non-essential travel between Wales and tier 1 and tier 2 areas in England.

Scotland remains the only country that allows non-essential travel in Scotland between low-level areas but bans non-essential travel between Scotland and a low-tier area in England. The Scottish Government's regulations mean that constituents of mine in the Borders, East Lothian and Dumfries and Galloway can travel freely between those areas and to any level 1 or 2 area of Scotland, but would be breaking the law—they would be criminals—if they carried out any non-essential travel to Cumbria, which is just a few miles away.

**Murdo Fraser (Mid Scotland and Fife) (Con):** Does Mr Smyth recognise that Conservative members have reservations about the travel ban, but because it is contained in regulations that contain a number of other measures that we support, we have difficulty in opposing them? To reflect the point that I made earlier in an exchange with the Cabinet Secretary for the Constitution, Europe and External Affairs, does Colin Smyth agree that it would be better if those matters were in separate regulations, on which we could then vote on a stand-alone basis?

**Colin Smyth:** I certainly would have no objection to that, but the really important thing is that the Government should update the regulations to reflect changes in circumstances, and we simply have not had that.

To take the example that I just gave, non-essential travel to Cumbria is banned, although people can have non-essential travel between the Borders and Aberdeenshire, even although the prevalence of Covid in Cumbria is lower than the prevalence in Aberdeenshire. Travel to Cumbria is banned for one reason alone: it is because the regulations ban any travel outwith Scotland to any other part of the United Kingdom. There is no public health argument for that approach. Frankly, in my view that is discrimination against Borders communities, who regularly use services and visit friends and family in the nearest town or city, which is often in the north of England.

That is not the only anomaly in the system. Let us be clear that no one disputes that limiting travel is an important way to manage spread of the virus, and no one is arguing against the need to avoid non-essential travel between low-prevalence and high-prevalence areas, but the Scottish Government's regulations actually make it a criminal offence to travel between two low-prevalence areas just because one of those areas happens to be in England. That is the anomaly

and concern that I am raising on behalf of constituents, although I have to say that it is not the only anomaly in the regulations. [*Interruption.*]

**The Presiding Officer:** Order, please.

**Colin Smyth:** I recently highlighted the case of constituents of mine who live in East Ayrshire, on the boundary with South Ayrshire, both of which are on the same level of restrictions. Their kids can travel to the nearest school half a mile away in South Ayrshire, but cannot take part in their twice-weekly organised outdoor activity with kids from the same school, purely because it is in neighbouring South Ayrshire. Outdoor organised activities are rightly allowed, but the travel restrictions regulations have failed to allow travel to that activity to be a reasonable excuse, or even to allow the same five-mile discretion that exists in the regulations when it comes to travelling for leisure.

There are lots of other anomalies in the regulations. That is an inevitable consequence of trying to enforce in law a complex levels system and not allowing adequate scrutiny before it becomes law.

It is for those reasons—in particular, the Government's failure to update its regulations to allow non-essential cross-border travel—that I, and Labour, cannot support the regulations.

The Scottish Parliament and the Scottish Government are supposed to represent all of Scotland.

**The Presiding Officer:** Will you wind up, please, Mr Smyth?

**Colin Smyth:** Frankly, however, passing the regulations today will send a signal that that does not include South Scotland and our Borders communities.

**The Presiding Officer:** I remind members that they are supposed to speak for three minutes on such motions, not five.

I apologise to the minister, who spoke to the right motion. I was expecting him to reply, but I will now ask him to respond to Mr Smyth.

**Graeme Dey:** I do not want to take up any more of the chamber's time—not least because members are concerned about late decision times. I simply say that such statutory instruments are introduced after great consideration. Frankly, the suggestion that there is discrimination against one area of Scotland is reprehensible.

**The Presiding Officer:** I clarify that the vote on the relevant SSI will be taken at decision time.

The next item of business is consideration of Parliamentary Bureau motion S5M-23641, on approval of an SSI. I call Graeme Dey to move—

and, I think, to speak to—the motion on behalf of the Parliamentary Bureau.

**Graeme Dey:** The purpose of SSI 2020/392 is, or was, to move Midlothian and East Lothian from level 3 to level 2 restrictions and requirements. It came into force on 24 November.

I move,

That the Parliament agrees that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/392) be approved.

**The Presiding Officer:** The next item of business is consideration of two Parliamentary Bureau motions. I call Mr Dey to move, on behalf of the bureau, motions S5M-23642, on approval of an SSI, and S5M-23643, on committee meeting times.

*Motions moved,*

That the Parliament agrees that the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 [draft] be approved.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Culture, Tourism, Europe and External Affairs Committee can meet, if necessary, at the same time as a meeting of the Parliament from 3.00pm to 4.00pm on Tuesday 15 December 2020 for the purpose of taking evidence from the Chancellor of the Duchy of Lancaster, the Rt Hon Michael Gove MP, in relation to the future relationship negotiations between the European Union and the UK Government.—[*Graeme Dey*]

## Point of Order

18:21

**Patrick Harvie (Glasgow) (Green):** On a point of order, Presiding Officer. I will be very brief. I am slightly concerned about the fact that, during the economy debate, one or more members might inadvertently have neglected to make an oral declaration of their financial interests. It is not a new situation, but our rules are quite clear. Can you advise how members who are in that position can quickly correct that oversight?

**The Presiding Officer (Ken Macintosh):** I thank Mr Harvie for providing advance notice of his point of order, and for expressing his concern on the matter. However, as members, including Mr Harvie, will know, the decision whether they have a responsibility to declare any interests is a judgment for individual members. It is up to individual members to decide whether to make such a declaration, and they can take any opportunity to do so.

## Decision Time

18:22

**The Presiding Officer (Ken Macintosh):** The first question is, that amendment S5M-23629.3, in the name of John Swinney, which seeks to amend motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

I will suspend the meeting for a few moments to enable members to access the voting app.

18:22

*Meeting suspended.*

18:26

*On resuming—*

**The Presiding Officer:** We move straight to the vote on amendment S5M-23629.3. Members may cast their votes now. This is a one-minute division.

The vote is now closed. If members had any difficulty in voting, they should let me know.

### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)

MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (Ind)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Ind)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Bowman, Bill (North East Scotland) (Con)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kelly, James (Glasgow) (Lab)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)

Macdonald, Lewis (North East Scotland) (Lab)  
 Mason, Tom (North East Scotland) (Con)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Rennie, Willie (North East Fife) (LD)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, David (Highlands and Islands) (Lab)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)  
 Wightman, Andy (Lothian) (Green)  
 Wishart, Beatrice (Shetland Islands) (LD)

**The Presiding Officer:** The result of the division on amendment S5M-23629.3, in the name of John Swinney, which seeks to amend motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education, is: For 61, Against 62, Abstentions 0.

*Amendment disagreed to.*

**The Presiding Officer:** The next question is, that amendment S5M-23629.2, in the name of Iain Gray, which seeks to amend motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education, be agreed to.

*Amendment agreed to.*

**The Presiding Officer:** The next question is, that motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division. This division is on the amended motion.

The vote is now closed. If members have had any difficulty in expressing their vote, they should let me know.

#### For

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Balfour, Jeremy (Lothian) (Con)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Bowman, Bill (North East Scotland) (Con)  
 Boyack, Sarah (Lothian) (Lab)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)

Chapman, Peter (North East Scotland) (Con)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kelly, James (Glasgow) (Lab)  
 Kerr, Liam (North East Scotland) (Con)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 Mason, Tom (North East Scotland) (Con)  
 McArthur, Liam (Orkney Islands) (LD)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Rennie, Willie (North East Fife) (LD)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Sarwar, Anas (Glasgow) (Lab)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)  
 Wightman, Andy (Lothian) (Green)  
 Wishart, Beatrice (Shetland Islands) (LD)

### Against

Carson, Finlay (Galloway and West Dumfries) (Con)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)

### Abstentions

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Ballantyne, Michelle (South Scotland) (Ind)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)

Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Harper, Emma (South Scotland) (SNP)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McDonald, Mark (Aberdeen Donside) (Ind)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

**The Presiding Officer:** The result of the division on motion S5M-23629, in the name of Jamie Greene, on responding to parliamentary will and calls for clarity in education, as amended, is: For 59, Against 4, Abstentions 61.

### *Motion, as amended, agreed to,*

That the Parliament notes the outcome of the debate on motion S5M-23385 (Safe Schools) on 18 November 2020 and reasserts its support for this; expresses disappointment that the Scottish Government has not presented proposals in response to the motion; calls on it to deliver at least 2,000 additional full-time teachers to fill the vacancy shortfall and to bring forward proposals to provide free school lunches and breakfasts for all primary pupils, to take effect from the start of the next financial year; further calls on it to make a decisive and final decision regarding the 2021 Higher exam diet and to provide further support, before the Christmas holidays, to teachers, headteachers



and local authorities by providing comprehensive guidance on the processes of assessment, moderation and appeals of all Higher level and National 5 awards, and notes that the Scottish Government must also instruct the SQA to publish any moderation methodology that will be used in the grading of awards in 2021, in full and in advance of assessment.

**The Presiding Officer:** For the next question, I remind members that, if the amendment in the name of Jamie Hepburn is agreed to, the amendment in the name of Alex Rowley will fall.

The question is, that amendment S5M-23622.3, in the name of Jamie Hepburn, on the economy, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is now closed. If members had any issues, they should please let me know

**Oliver Mundell (Dumfriesshire) (Con):** On a point of order Presiding Officer. My phone was saying that I had not voted. However, it has just now updated. I apologise.

**The Presiding Officer:** Hopefully, the new version of the app is working. I hope that members are reassured.

#### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinrossshire) (SNP)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)

Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (Ind)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)  
 Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Ind)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Mason, Tom (North East Scotland) (Con)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

**Abstentions**

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)

**The Presiding Officer:** The result of the division on amendment S5M-23622.3, in the name of Jamie Hepburn, on the economy, is: For 71, Against 31, Abstentions 22.

*Amendment agreed to.*

**The Presiding Officer:** The amendment in the name of Alex Rowley is pre-empted.

The next question is, that motion S5M-23622, in the name of Maurice Golden, on the economy, as amended, be agreed to. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is now closed. If any member's vote did not register, please raise a point of order.

**Ruth Maguire (Cunninghame South) (SNP):** On a point of order, Presiding Officer. I would have voted yes.

**The Presiding Officer:** That is noted, Ms Maguire. I will make sure that your vote is added to the voting roll.

**For**

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Beamish, Claudia (South Scotland) (Lab)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)  
 Constance, Angela (Almond Valley) (SNP)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)

Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Greer, Ross (West Scotland) (Green)  
 Griffin, Mark (Central Scotland) (Lab)  
 Harper, Emma (South Scotland) (SNP)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kelly, James (Glasgow) (Lab)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Lindhurst, Gordon (Lothian) (Con)  
 Lochhead, Richard (Moray) (SNP)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McDonald, Mark (Aberdeen Donside) (Ind)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 McNeill, Pauline (Glasgow) (Lab)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, David (Highlands and Islands) (Lab)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)

Todd, Maree (Highlands and Islands) (SNP)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Wightman, Andy (Lothian) (Green)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

### Against

Balfour, Jeremy (Lothian) (Con)  
 Ballantyne, Michelle (South Scotland) (Ind)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Carlaw, Jackson (Eastwood) (Con)  
 Carson, Finlay (Galloway and West Dumfries) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Corry, Maurice (West Scotland) (Con)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Golden, Maurice (West Scotland) (Con)  
 Greene, Jamie (West Scotland) (Con)  
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)  
 Harris, Alison (Central Scotland) (Con)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Mason, Tom (North East Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Tomkins, Adam (Glasgow) (Con)  
 Wells, Annie (Glasgow) (Con)  
 Whittle, Brian (South Scotland) (Con)

**The Presiding Officer:** The result of the division on motion S5M-23622, in the name of Maurice Golden, on the economy, as amended, is: For 94, Against 28, Abstentions 0.

### *Motion agreed to,*

That the Parliament notes that many businesses affected by the pandemic restrictions have been able to access Scottish Government support grants totalling more than £2.3 billion, including the Strategic Framework Business Fund, and welcomes the additional financial support that will be made available through the £15 million second phase of the Newly Self-employed Hardship Fund and the £30 million Local Authority Discretionary Fund; welcomes the use of Barnett consequentials to provide this support for businesses and jobs, alongside other forms of support from the UK Government such as the Coronavirus Job Retention Scheme and the Self-Employed Income Support Scheme; recognises that the Scottish Government will continue to review and refine the COVID grant offer, within available resources, with a view to ensuring that businesses can access the support that they need over the winter and notes that the Cabinet Secretary for Finance will set out how additional funding will support businesses and their employees; welcomes the repayment of rates relief by supermarkets and calls for other businesses who can do so to follow this example and for this resource to be allocated to the devolved governments to enable the provision of further support for businesses and their workforces; understands the need for workers to be supported through

the current period and commends the Coronavirus (COVID-19): fair work statement, which has been jointly endorsed by the Scottish Government, STUC, COSLA, SCVO, IoD Scotland and SCDI to employers; recognises that the Scottish Government will only be able to deliver the certainty sought by Scottish businesses in terms of extending rates relief for hospitality, leisure and retail businesses into 2021-22 with consequential funding from an equivalent investment by the UK Government due to the lack of fiscal powers and flexibilities devolved to the Scottish Parliament, and endorses the Finance and Constitution Committee's unanimously-agreed pre-budget scrutiny report, which recommends that the Treasury should consider providing the devolved governments with greater access to borrowing in emergency situations, such as the current crisis, to allow them to tailor their own spend and policy response to the pandemic and economic recovery.

**The Presiding Officer:** The next question is, that motion S5M-23640, in the name of Graeme Dey, on approval of a Scottish statutory instrument, be agreed to. It is the SSI on travel restrictions, to which Colin Smyth objected and on which Murdo Fraser made an intervention. Are we agreed?

**Members:** No.

**The Presiding Officer:** There will be a division.

The vote is now closed. If members had any issues, they should please let me know.

**Jamie Greene (West Scotland) (Con):** On a point of order, Presiding Officer. I have no idea whether my vote was counted, because my screen has gone blank. I would have voted yes.

**The Presiding Officer:** Thank you, Mr Greene. I will double-check. I can see that you did vote, Mr Greene.

I also assure Aileen Campbell that she voted. Your vote has been registered, Ms Campbell.

**The Cabinet Secretary for Health and Sport (Jeane Freeman):** On a point of order, Presiding Officer. My screen has gone blank, too. I voted yes.

**The Presiding Officer:** I can confirm that your vote was registered.

### For

Adam, George (Paisley) (SNP)  
 Adamson, Clare (Motherwell and Wishaw) (SNP)  
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)  
 Arthur, Tom (Renfrewshire South) (SNP)  
 Balfour, Jeremy (Lothian) (Con)  
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)  
 Bowman, Bill (North East Scotland) (Con)  
 Briggs, Miles (Lothian) (Con)  
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)  
 Burnett, Alexander (Aberdeenshire West) (Con)  
 Cameron, Donald (Highlands and Islands) (Con)  
 Campbell, Aileen (Clydesdale) (SNP)  
 Carlaw, Jackson (Eastwood) (Con)  
 Chapman, Peter (North East Scotland) (Con)  
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)  
 Cole-Hamilton, Alex (Edinburgh Western) (LD)

Constance, Angela (Almond Valley) (SNP)  
 Corry, Maurice (West Scotland) (Con)  
 Crawford, Bruce (Stirling) (SNP)  
 Cunningham, Roseanna (Perthshire South and Kinross-shire) (SNP)  
 Davidson, Ruth (Edinburgh Central) (Con)  
 Denham, Ash (Edinburgh Eastern) (SNP)  
 Dey, Graeme (Angus South) (SNP)  
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)  
 Dornan, James (Glasgow Cathcart) (SNP)  
 Ewing, Annabelle (Cowdenbeath) (SNP)  
 Ewing, Fergus (Inverness and Nairn) (SNP)  
 Fabiani, Linda (East Kilbride) (SNP)  
 Finnie, John (Highlands and Islands) (Green)  
 FitzPatrick, Joe (Dundee City West) (SNP)  
 Forbes, Kate (Skye, Lochaber and Badenoch) (SNP)  
 Fraser, Murdo (Mid Scotland and Fife) (Con)  
 Freeman, Jeane (Carrick, Cumnock and Doon Valley) (SNP)  
 Gibson, Kenneth (Cunninghame North) (SNP)  
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)  
 Golden, Maurice (West Scotland) (Con)  
 Gougeon, Mairi (Angus North and Mearns) (SNP)  
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)  
 Greene, Jamie (West Scotland) (Con)  
 Greer, Ross (West Scotland) (Green)  
 Harper, Emma (South Scotland) (SNP)  
 Harris, Alison (Central Scotland) (Con)  
 Harvie, Patrick (Glasgow) (Green)  
 Haughey, Clare (Rutherglen) (SNP)  
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)  
 Hyslop, Fiona (Linlithgow) (SNP)  
 Halcro Johnston, Jamie (Highlands and Islands) (Con)  
 Kerr, Liam (North East Scotland) (Con)  
 Kidd, Bill (Glasgow Anniesland) (SNP)  
 Lochhead, Richard (Moray) (SNP)  
 Lockhart, Dean (Mid Scotland and Fife) (Con)  
 Lyle, Richard (Uddingston and Bellshill) (SNP)  
 MacDonald, Angus (Falkirk East) (SNP)  
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)  
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)  
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)  
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)  
 Maguire, Ruth (Cunninghame South) (SNP)  
 Martin, Gillian (Aberdeenshire East) (SNP)  
 Mason, John (Glasgow Shettleston) (SNP)  
 Mason, Tom (North East Scotland) (Con)  
 Matheson, Michael (Falkirk West) (SNP)  
 McAlpine, Joan (South Scotland) (SNP)  
 McArthur, Liam (Orkney Islands) (LD)  
 McKee, Ivan (Glasgow Provan) (SNP)  
 McKelvie, Christina (Hamilton, Larkhall and Stonehouse) (SNP)  
 McMillan, Stuart (Greenock and Inverclyde) (SNP)  
 Mitchell, Margaret (Central Scotland) (Con)  
 Mountain, Edward (Highlands and Islands) (Con)  
 Neil, Alex (Airdrie and Shotts) (SNP)  
 Paterson, Gil (Clydebank and Milngavie) (SNP)  
 Rennie, Willie (North East Fife) (LD)  
 Robison, Shona (Dundee City East) (SNP)  
 Ross, Gail (Caithness, Sutherland and Ross) (SNP)  
 Ruskell, Mark (Mid Scotland and Fife) (Green)  
 Russell, Michael (Argyll and Bute) (SNP)  
 Scott, John (Ayr) (Con)  
 Simpson, Graham (Central Scotland) (Con)  
 Smith, Liz (Mid Scotland and Fife) (Con)  
 Somerville, Shirley-Anne (Dunfermline) (SNP)  
 Stevenson, Stewart (Banffshire and Buchan Coast) (SNP)  
 Stewart, Alexander (Mid Scotland and Fife) (Con)  
 Stewart, Kevin (Aberdeen Central) (SNP)  
 Swinney, John (Perthshire North) (SNP)

Todd, Maree (Highlands and Islands) (SNP)  
 Tomkins, Adam (Glasgow) (Con)  
 Torrance, David (Kirkcaldy) (SNP)  
 Watt, Maureen (Aberdeen South and North Kincardine) (SNP)  
 Wells, Annie (Glasgow) (Con)  
 Wheelhouse, Paul (South Scotland) (SNP)  
 White, Sandra (Glasgow Kelvin) (SNP)  
 Whittle, Brian (South Scotland) (Con)  
 Wightman, Andy (Lothian) (Green)  
 Wishart, Beatrice (Shetland Islands) (LD)  
 Yousaf, Humza (Glasgow Pollok) (SNP)

#### Against

Baillie, Jackie (Dumbarton) (Lab)  
 Baker, Claire (Mid Scotland and Fife) (Lab)  
 Ballantyne, Michelle (South Scotland) (Ind)  
 Beamish, Claudia (South Scotland) (Lab)  
 Bibby, Neil (West Scotland) (Lab)  
 Boyack, Sarah (Lothian) (Lab)  
 Fee, Mary (West Scotland) (Lab)  
 Findlay, Neil (Lothian) (Lab)  
 Grant, Rhoda (Highlands and Islands) (Lab)  
 Gray, Iain (East Lothian) (Lab)  
 Griffin, Mark (Central Scotland) (Lab)  
 Johnson, Daniel (Edinburgh Southern) (Lab)  
 Kelly, James (Glasgow) (Lab)  
 Lamont, Johann (Glasgow) (Lab)  
 Lennon, Monica (Central Scotland) (Lab)  
 Leonard, Richard (Central Scotland) (Lab)  
 Macdonald, Lewis (North East Scotland) (Lab)  
 McNeill, Pauline (Glasgow) (Lab)  
 Mundell, Oliver (Dumfriesshire) (Con)  
 Rowley, Alex (Mid Scotland and Fife) (Lab)  
 Rumbles, Mike (North East Scotland) (LD)  
 Sarwar, Anas (Glasgow) (Lab)  
 Smith, Elaine (Central Scotland) (Lab)  
 Smyth, Colin (South Scotland) (Lab)  
 Stewart, David (Highlands and Islands) (Lab)

#### Abstentions

McDonald, Mark (Aberdeen Donside) (Ind)

**The Presiding Officer:** The result of the division on motion S5M-23640, in the name of Graeme Dey, on approval of an SSI, is: For 95, Against 25, Abstentions 1.

#### *Motion agreed to,*

That the Parliament agrees that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 3) Regulations 2020 (SSI 2020/389) be approved.

**The Presiding Officer:** The next question is, that motion S5M-23641, in the name of Graeme Dey, on approval of an SSI, be agreed to.

#### *Motion agreed to,*

That the Parliament agrees that the Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Amendment (No. 4) Regulations 2020 (SSI 2020/392) be approved.

**The Presiding Officer:** I propose to ask a single question on two Parliamentary Bureau motions, unless any member objects.

As no member objects, the question is, that motions S5M-23642 and S5M-23643, in the name

of Graeme Dey, on behalf of the Parliamentary Bureau, be agreed to.

*Motions agreed to,*

That the Parliament agrees that the Civil and Family Justice (EU Exit) (Scotland) (Amendment etc.) Regulations 2020 [draft] be approved.

That the Parliament agrees that, under Rule 12.3.3B of Standing Orders, the Culture, Tourism, Europe and External Affairs Committee can meet, if necessary, at the same time as a meeting of the Parliament from 3.00pm to 4.00pm on Tuesday 15 December 2020 for the purpose of taking evidence from the Chancellor of the Duchy of Lancaster, the Rt Hon Michael Gove MP, in relation to the future relationship negotiations between the European Union and the UK Government.

**The Presiding Officer:** We will move shortly to members' business, which is in the name of Graham Simpson, after a short pause to allow members and ministers to move seats. I remind members to wear their masks and to observe social distancing when leaving the chamber and when following the one-way system around the Parliament.

## Bus Services

**The Deputy Presiding Officer (Christine Grahame):** The final item of business is a members' business debate on motion S5M-23117, in the name of Graham Simpson, on bus service cuts. The debate will be concluded without any question being put.

*Motion debated,*

That the Parliament is concerned that hundreds of bus services in Scotland have been cut since March 2020; notes the support given to bus companies by the Scottish Government during the COVID-19 pandemic, but considers that, despite this, many parts of the country, including the Central Scotland region, have been left without an adequate service, and acknowledges that the Scottish Government has yet to commence Part 3 of the Transport (Scotland) Act 2019 to allow local authorities to bring forward proposals for the provision of bus services in their area.

18:42

**Graham Simpson (Central Scotland) (Con):** I thank all the members who signed the motion to allow the debate to take place. I also thank those—few—members who have stayed back tonight. I understand the reasons for the low attendance, as it is very late.

There will not be a single MSP who has not seen a decline in bus services in their area during the pandemic, but in truth the decline has been going on for much longer than that. I look forward to hearing about the picture across the country, and to hearing members' ideas for how we can move forward.

I did not lodge the motion to score political points. I welcome the money that the Scottish Government has put in during the current crisis, which has been vital, but we need to start a serious conversation about what we want our public transport system to be, and how such a system can emerge once we are through the pandemic.

The motion says that

“hundreds of bus services ... have been cut since March”,

which is true. According to the traffic commissioner for Scotland, a total of 241 bus services were cancelled between 1 March and 30 November. Thousands of people who rely on the bus now have either no service or a worse service than they previously had. It is not quite that simple: hundreds of services were cut or altered, but many have been reinstated. However, my fear is that they might be lost again once the massive subsidies that Government is providing come to an end, as they will.

In my view, some bus companies have, during the Covid-19 pandemic, taken the opportunity to

get rid of services that they might, for some time, have been looking to be rid of. In the area where I live in East Kilbride, that is definitely the case, which is why I brought the debate to the chamber.

I live in Stewartfield, which is probably the most affluent part of the town. I have lived there for 25 years, and in all that time our bus service has been woeful. There is a bus once every half an hour that gets you one way into the town centre—going very much round the houses—and the other way into Glasgow. The buses are old and the service is hit and miss. It is little wonder that most people do not bother with it and that car use is high, because there really is no alternative.

However, some people do not have a car and need a bus, so when First Bus tried a few years ago to axe the service, I—as a local councillor at the time—ran a big campaign, and we managed to stop the cut. That is how it stayed, until Covid struck. The already low numbers on a poor service got even lower, and First simply stopped running the 31 to East Kilbride. It was not prepared to act on pleas to consider potentially more viable routes, so Stewartfield was cast aside.

All that we could do was appeal to Strathclyde Partnership for Transport for help. Despite being seriously cash strapped itself, SPT funded a replacement service with a different operator, but that runs only once an hour. In my view, that cannot work in the long term and we need to do much better, although I am told that, so far, passenger numbers are quite promising.

My experience is not unique, but it highlights something that is wrong with the current system. In many parts of the country, we have a hotchpotch of operators. In my region of Strathclyde, there are more than 50 different operators.

Buses can lead the green recovery, through companies such as Alexander Dennis in my region. I hope that that company benefits from the green bus fund that was announced by the Chancellor of the Exchequer, for which I lobbied behind the scenes.

Bus is by far the most popular public transport mode in Strathclyde—it carries more than twice as many passengers as rail does. However, the numbers of people using buses have been falling for years. According to SPT, bus patronage in Strathclyde and south-west Scotland declined from 234 million to 159 million journeys in the 10 years from 2008-09, which is a drop of 32 per cent.

We cannot blame bus companies for pulling routes that lose money, but after they do, SPT, which is funded by cash-strapped councils, steps in—sometimes, when it can—to pick up the pieces. SPT currently supports 216 services that

cover a network of about 7.9 million miles per year, or around 152,000 miles per week—that is 10 per cent of the total miles operated by services in the region.

Here is the rub. SPT's annual revenue budget for supported services is around £13 million, or £5 per head of population—not per passenger—per year. We can compare that with the level of subsidy for bus services per head of population per year in Greater Manchester, which is £10, and in London, where it is £75. If we want a gold-standard public transport system, it has to be paid for.

I agree with SPT's call for a Scottish bus task force to be set up to tackle the issues and recommend a way forward, because there is no easy answer. However, I think that we can agree that the best public transport systems are joined up, easy to use and easy to understand, and that there should be no deserts where people have no choice but to drive.

If public subsidies are needed for that, so be it—ideologies must not get in the way. Public transport is a good thing. Part 3 of the Transport (Scotland) Act 2019 allows for the creation of bus service improvement partnerships by one or more councils. That would enable councils to set standards on routes, fares and ticketing, and they could also run their own services. Some councils, such as Aberdeen and Falkirk, are interested in that, and it could be a good thing in my patch, where the reality of people's travel patterns is that they go in and between Glasgow, Lanarkshire and Renfrewshire.

**Jamie Greene (West Scotland) (Con):** I know that it is unusual to intervene on a member from one's own side of the chamber, but Graham Simpson raises a fair point. I spent many a sleepless night when we were considering the Transport (Scotland) Bill. Local councils that may wish to set up a bus service to meet the needs of local residents simply do not have the money to do so, and therein lies the problem.

**Graham Simpson:** Money is certainly an issue, as I have mentioned—Jamie Greene is absolutely right that it comes down to money. Nonetheless, the travel patterns in my region run across council areas so, if we are going to do something, it should be on a regional level.

Many of the provisions in the 2019 act, including those on improvement partnerships, are yet to come into force. The cynic in me says that that is because some of the provisions will be unpopular before an election, but improvement partnerships are not in that category, so I fail to understand the delay.

Let us all get behind the message that buses are good and necessary, and let us start a national

conversation on how best to provide a proper, fully integrated public transport system.

18:50

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** I thank Graham Simpson for bringing this subject to Parliament. I was green with envy to hear that there is a half-hourly bus service in his local area. In my local village, the only service is the 301, heading broadly east and west, and we would dearly love to have a half-hourly service. On one occasion when I wanted to catch a train, I travelled cross-country from the second village away on the only bus that was running on a Sunday. During my entire hour and a half on that bus, I was the only passenger. Bus services are important because they are important for individual passengers. The bus does not need to be filled for it to be an important service.

It is as well—particularly for Graham Simpson and those with his political viewpoint—to remind ourselves why we have a very successful municipally owned bus service in Edinburgh and why we basically do not have the same elsewhere in Scotland. It is simply because his political party caused bus services to be sold off.

I used the excellent Aberdeen bus service as a student, normally travelling on the number 10 route. It was a very effective, frequent and affordable service. However, it was sold off. Where did the profits from that go? They did not go back into Aberdeen to invest in bus services. Edinburgh managed to retain the asset in the form of the successful Lothian Buses, which I use on a not regular but not irregular basis.

If councils across Scotland or Strathclyde Partnership for Transport were to start their own bus companies, that would involve very substantial capital investments to recoup the amount of money that was given away, in essence, by privatising the previous municipal bus services.

I was astonished to hear Graham Simpson complaining that there are 50 private bus companies operating in Strathclyde—almost with the suggestion that he wants to replace them with one municipal one. I am not saying that I necessarily disagree with that proposal, but it is fundamentally more difficult than he was perhaps suggesting in his speech.

Another thing that Graham Simpson referred to, which is perfectly correct, is that there are ways to provide local support for bus services other than by running your own bus services, including by supporting individual routes. The one that I referred to, on which I travelled on a Sunday, was a council-supported route that would not be there if the council was not investing in it. A key question that we must ask ourselves, however, and to

which I do not have the answer, is what the cost will be per passenger per journey for councils that support individual routes that are contracted to private operators, or community bus services for that matter, or that invest the substantial capital amount involved in setting up their own bus companies.

We are looking at the lack of—*[Inaudible.]*—Transport (Scotland) Act 2019. In relation to municipally owned and operated bus services, we need high standards of governance and supervision of what is quite a substantial undertaking for a local council to contemplate, so I am not hugely surprised that it will take a while to introduce the commencement order for that facility.

The subject is a very proper one to be brought to the Parliament, but I think that it might be more complex than Graham Simpson has perhaps provided for in his motion and in his speech.

18:54

**Colin Smyth (South Scotland) (Lab):** I thank Graham Simpson for lodging the motion and allowing Parliament the opportunity to highlight the importance of our bus services and, crucially, the big challenges that they face in the months ahead.

As Graham Simpson rightly highlighted, although the Covid-19 pandemic has had a profound impact on public transport, when it comes to our buses, in many ways, it has not created new problems but compounded those that already existed. Even before the pandemic, bus journeys plummeted by 14 million last year, adding to a downward trend that has seen numbers fall by a quarter under the current Government. In communities right across Scotland, vital bus networks were on the brink of collapse even before Covid; now, without meaningful change, that collapse will be inevitable in many communities.

I very much recognise the funding that has gone into supporting the bus sector during this period, which is very welcome. However, we all know that it is a sticking plaster. We need to provide financial support to sustain the sector in the months ahead, but we also need to give transport authorities the powers to rebuild and recover in the future. Implementing the provisions of the Transport (Scotland) Act 2019 on bus services is a key part of that.

When the 2019 act was passed by the Parliament, the Cabinet Secretary for Transport, Infrastructure and Connectivity said:

“The bill offers an ambitious new model for improving bus services and will ensure that there will be sustainable bus networks across Scotland.”—*[Official Report, 10 October 2019; c 92.]*

Frankly, there has never been a stronger need for that than there is now.

Although I would have liked to see the act go a lot further, it does provide for greater regulation of services through bus service improvement plans and franchising and, crucially, it lifts the unfair ban on municipal ownership. I have to say that it has been quite amusing watching a Scottish National Party politician arguing with a Conservative politician against public and municipal ownership. How times have changed—in a very positive way.

I lodged amendments to secure the lifting of that ban at stage 2—which were ultimately agreed to at stage 3—and I did so because I strongly believe that greater municipal ownership will help to ensure that communities and passengers are put first when it comes to our bus services. That reflects the principle that I have that public transport is very much a public service.

However, as Jamie Greene highlighted, councils need not only the powers in the 2019 act, but the financial support to use them—a point that SPT emphasised in its briefing.

Protecting Scotland's bus network is not only absolutely essential in relation to our economy and connecting communities; it has a positive impact on wider policy priorities, from carbon reduction to public health. Indeed, every £1 invested in supporting socially necessary bus services delivers £3 of wider societal benefits. With vaccinations under way this week—which is hugely welcome—and an end to the Covid pandemic thankfully in sight, albeit months ahead, it is time to start to take a more strategic and long-term planning approach to the future of bus services. It is about what will happen when we move forward and begin to move away from the pandemic. That means getting ownership and regulation right, giving our councils the resources that they need, and tackling the long-term trends with meaningful action and investment.

The Government's long-term investment in bus priority infrastructure will make a difference and is important. However, it has been entirely undermined by the decision to restrict bus partnership funds to authorities that are pursuing bus service improvement plans. Instead of ensuring that the money goes where it is needed most, the money is—in my view—being used to strong-arm authorities into using the Government's preferred model for running services.

Likewise, although I welcome the Government's commitment to introduce free bus travel for young people—which Labour has long argued for on the basis that it would promote a much-needed modal shift towards buses—I am disappointed that it has been limited to only those under the age of 19 and that its introduction, sadly, has been delayed. That

should be a key priority and the first step towards expanding the concessionary travel scheme further in the future.

Buses continue to make up the majority of public transport journeys in Scotland, and this year has made clearer than ever the essential role that they play. I pay tribute to our key transport workers. They have worked around the clock to keep Scotland moving and to get other key workers into work, which is hugely important. Their role will also be incredibly important as we try to rebuild those services in the years ahead.

18:59

**Angus MacDonald (Falkirk East) (SNP):**

There will not be many—if any—members of the Parliament who do not share some of the concerns detailed in the motion lodged by Graham Simpson that we are debating this evening. There is no doubt that Scotland has a patchy bus network in places, with room for improvement. However, I am glad that the motion recognises

“the support given to bus companies by the Scottish Government during the COVID-19 pandemic”,

because that is probably the most salient point in the debate. We are here because of Covid, not because anyone wishes to see bus services in Scotland being cut. The reality is that many bus services are uneconomic, in rural and urban areas, and I often see one or two people, at most, sitting on a gas-guzzling bus—often a 20-year-old gas-guzzling bus—that is belching out fumes that would be frowned upon in a third-world country, never mind a first-world country such as ours. Perhaps that is a clue to why transport represents Scotland's biggest source of greenhouse gas emissions.

There is, of course, a solution to that. The world-class bus manufacturer Alexander Dennis is based in Falkirk West, which is a neighbouring constituency to mine and is represented by the Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson. We will all have seen the restructuring plans that Alexander Dennis announced last August as a result of Covid inducing a slump in the demand for new buses. I was pleased to receive an assurance at that time from the cabinet secretary that the Scottish Government, in line with its historical support for bus manufacturing in Scotland, was exploring every option that it could to support our bus manufacturers, including Alexander Dennis, through this current challenging period. Our bus manufacturing sector leads the world in cutting-edge and sustainable technology and supports a significant number of jobs. We are already proud of it, but we should work to support it where we can. I am glad that the Scottish Government shares that view.



I hope that we all understand that these are challenging times for businesses and communities as a whole, not least the manufacturing industries. For example, today, we have seen Honda in England announce a halt to production because of blockages at ports preventing parts from getting through. That is even before the impact of the Brexit chaos that we are all dreading. However, Alexander Dennis produces world-class hybrid buses, and it now produces the world-beating hydrogen-powered Enviro400FC, which has an electric driveline with axle-mounted motors and an on-board battery that is charged by feeding hydrogen from secure tanks to a fuel cell system in which it is converted to electricity. No external battery charging is required, and the vehicle's only emission is water vapour. Hydrogen fuel cell technology is here. It is in Falkirk, and it can offer long-range zero emission capability if suitable infrastructure can be put in place with sustainably sourced hydrogen.

I am sure that we all welcome the opportunities, which have already been discussed, that the Transport (Scotland) Act 2019 brings, particularly the powers to allow local authorities to run bus services. I am as impatient as everyone else to see that happening, as it has the potential to reinvigorate Scotland's bus networks, although I take on board Stewart Stevenson's warnings. A number of local authorities have already started to explore that option, but they face financial barriers in implementing schemes, as Jamie Greene said in his intervention. I share the frustration of many people that those powers have not yet been enacted, although I get the fact that the attention of officials has been elsewhere in recent months. I note Friends of the Earth Scotland's call in its briefing for the debate for the Scottish Government to bring forward powers to repair Scotland's patchy bus service, create green jobs and contribute to decarbonising transport. I trust that the minister will also take note of that call.

19:03

**Monica Lennon (Central Scotland) (Lab):** I thank Graham Simpson, who is a fellow Central Scotland MSP, for lodging the motion for debate. I completely agree that, in Central Scotland, as in other parts of the country, some of our communities have been left without adequate bus services in 2020. However, as Colin Smyth and other members have said, that is not just a Covid challenge; our communities have faced such issues for some time, so it is good that we are having this debate.

I have spoken in Parliament previously about the X1 bus service between Hamilton and Glasgow. I am extremely disappointed that First Glasgow axed that vital route this year. It tried to

do it before the pandemic, but it was forced to pause because of a people-powered campaign in our local area. People strongly backed that vital route. It is really disappointing that First has gone ahead with the axing of the service under the cover of Covid, and I am disappointed that the Scottish Government has not done more to intervene and help to save this front-line service.

We have seen similar issues—Graham Simpson knows this—in East Kilbride, with the axing of the number 31 bus. Such buses are relied on by workers, students and young and old alike. The X1, for example, is a direct link between my local community of Hamilton and the royal infirmary in Glasgow. I could paper the walls with comments on Facebook and emails from constituents who strongly support the continuation of the X1, because they rely on it. One letter that I received said:

“The X1 is a vital service for those who live in High Earnock ... it is the only bus that goes around Davington Drive. The axe of this service would mean elderly and vulnerable residents having to walk 15 minutes to the”

closest

“bus stops on Wellhall Road, which can be prone to black ice during the winter ... this may lead to such residents not wanting to leave their house for ... shopping as they may not be able to afford a taxi”.

The letter continued:

“The X1 service is widely used by students, the bus is a lot cheaper and reliable than the train”

and it

“stops directly outside Strathclyde university, City of Glasgow College and Glasgow Caledonian University ... I am a student nurse who used the bus service from High Earnock to Buchanan bus station or I would get off at Glasgow Royal Infirmary during my placement along with fellow students and workers.”

Many constituents have said that they rely on the bus service for getting to regular appointments at Glasgow royal infirmary.

It is clear that the monopoly of provision has meant that public petitions and pleas from local politicians and residents have been ignored. The public has been let down. Activists such as those behind the Get Glasgow Moving campaign, which was launched in 2016, need to be supported.

Running public services for profit ultimately means that people are going to be let down, and that is unfortunately what is happening to too many of our constituents.

I agree with my colleague Colin Smyth that, for too long, bus services have been left deregulated with little investment. It is a real shame that Alexander Dennis in Falkirk, which should be at the forefront of electric bus creation, announced job cuts earlier this year because of lack of

demand. We need to support those businesses. We need publicly funded and accountable local transport that puts people before profit and helps us to tackle climate change.

I finish by observing that I am the only woman to speak in the debate. Women make up the majority of bus users, so let us make sure that we get transport policy that is inclusive and supports all our communities, helps our economy and helps our environment. I look forward to hearing the minister's response.

19:07

**The Minister for Energy, Connectivity and the Islands (Paul Wheelhouse):** I thank Graham Simpson for lodging his motion on what is clearly an important issue to many members and their communities. I thank members for their contributions, in which they shared a range of views that highlight the vital role that bus services play for people across Scotland.

To add to what Colin Smyth said, I pay tribute to Scotland's transport workers. I am extremely grateful, as I know that the cabinet secretary is, for the way that our transport community has come together and made sure that our transport system continues to support essential journeys safely during the pandemic. I am also grateful for the engagement of trade unions and workers across the sector in helping to develop the guidance that allowed that to happen, which is very important.

The impact of Covid-19 on public transport has been unprecedented. Angus MacDonald made that point well. Demand for public transport plummeted overnight as we went into the initial national lockdown. Today, levels of patronage are still significantly lower than they were before Covid-19, in line with Government guidance and restrictions on travel. That is a primary driver for why the Scottish Government has had to commit a total of £546 million in the current financial year to sustain operations across public transport networks.

Members have touched on something that is relevant to the debate, which is that bus patronage is currently at about 45 per cent of pre-Covid levels, although there is significant variation across the country as demand is high in some places and lower elsewhere.

Our transport priority has been and remains to keep public transport running for those who need it, while capacity is reduced due to physical distancing. To maintain a viable and safe bus network, we have committed up to £162.3 million in additional financial support for bus services—that has come from within the funding that I have just mentioned—since we came out of the national lockdown in June. I thank members for their

positive remarks on the support from the Scottish Government. I recognise that that is not the issue of political debate here.

We have also maintained concessionary reimbursement in bus service operator grant payments at the levels that were forecast before Covid 19, when demand was much higher. We would normally spend over £260 million in the financial year. That is in addition to the money that local authorities normally receive through the local authorities general revenue grant to secure additional bus services that are socially necessary but not commercially viable in their own right. In 2018-19, £57 million was spent on that.

The extra funding fills the gap between the additional costs of running services with Covid protection in place and the severely reduced ticketing income due to carrying capacity constraints as a result of both physical distancing and reduced demand. Operators that have received funding are not allowed to make a profit under the terms of the public service contract with the Scottish Government. Without that additional funding, services would not have increased from the about 30 per cent of pre-Covid levels that were operated during the national lockdown to what we see running today.

Notwithstanding the lower patronage figures, the largest bus operators are now running, on average, almost 95 per cent of pre-Covid mileage. In some places, bus operators are running less than 100 per cent due to a lack of driver availability, perhaps due to sickness and self-isolation or because drivers need to shield. Elsewhere, operators are running less than 100 per cent in agreement with Transport Scotland because the demand is just not there at the moment. Ironically, patronage remains particularly low in places such as Edinburgh while office workers and commuters continue to follow the Government guidance to work from home wherever it is possible to do so.

It is important to clarify that, even with the additional funding, having 100 per cent of normal service mileage does not necessarily mean that there will be 100 per cent normal capacity on the bus network, because of those changes. Physical distancing means that buses can carry fewer passengers than normal. One metre physical distancing can reduce the carrying capacity of a bus to as little as 35 per cent of its normal capacity.

In consultation with local transport authorities, bus operators have to make difficult decisions about where they can best deploy the capacity that they have to meet the current demand. That might mean increasing the number of buses on a route to cope with additional pressures on capacity

and reduce the risk of overcrowding, as well as to maintain basic connectivity.

**Jamie Greene:** I am sorry to keep members working so late—I know that the clock is ticking. However, on that point, even after the pandemic—we all look forward to that time—it is difficult to see how patronage will get back up to the levels that existed before Covid, as it was already in decline. I hope that, somewhere in the minister's summing-up speech, we will hear the Government's plans to reduce that decline. Might it consider the proposition that I made during the passage of the Transport (Scotland) Bill for a proper multimode national ticketing system?

**Paul Wheelhouse:** I will raise the issue of a multimode ticketing system with the cabinet secretary—that is not something that I have discussed with him. The member is right that there is concern about the long time lag that might exist for passenger demand to recover and return to pre-Covid levels. He is also right that we are concerned about the long-term decline in passenger numbers, which Graham Simpson and other colleagues commented on. I will come on to what we are doing to try to restore those numbers through bus priority funding.

We are seeing operators redeploying vehicles across the network to places where demand is high and there is risk of overcrowding, which necessarily then impacts on the availability of buses for other services. I recognise that challenge. I do not know whether that is specific to the points that Monica Lennon and Graham Simpson made about local routes, but it may be one factor.

It is right that decisions about local bus service provision are determined locally where that is possible. I think that we agree on that across the political parties. That is why it is a condition of our funding that bus operators consult and co-operate with local transport authorities when they plan services. They must respond positively and quickly to reasonable requests from local transport authorities to amend provision where the authority thinks that that is merited. Operators are required to keep bus services under review in consultation with local transport authorities to ensure that provision is in line with demand. That might be relevant to the points that Monica Lennon and Graham Simpson made about the X1 service and any pent-up demand for services to return.

I turn to the bus provisions in the Transport (Scotland) Act 2019, which were mentioned by Angus MacDonald, Monica Lennon, Graham Simpson and other colleagues. Implementation was necessarily paused as a result of the pandemic. That is regrettable, but it had to be done, as Angus MacDonald and Stewart Stevenson suggested. Officials have now

restarted that work in earnest, and it will be taken forward subject to the parliamentary timetable. The limited parliamentary time that is available in the current session has been prioritised for essential legislation including the Government's Covid response and the necessary preparations for the end of the European Union exit transition period.

Powers already exist to secure additional bus services to meet local needs. The new powers under the 2019 act extend the range of options that are available to local authorities and regional transport partnerships to improve services in their areas, whether that is through partnership working, local franchising or running their own bus services.

**Graham Simpson:** When is the earliest that the minister thinks that the provisions will be introduced? I accept the reason for the delay, but there is a demand for those powers.

**Paul Wheelhouse:** Building on my earlier remarks, I note that we expect that a number of the measures in the act will not come into effect until the next parliamentary session. That being said, in relation to the bus service provisions in the act, which I believe are the ones that Graham Simpson is most interested in, a good deal of preparatory work was undertaken before the pandemic on the significant volume of regulations and guidance and the related consultation process that is required to support implementation.

Angus MacDonald was quite right to say that it is a complex situation. The implementation process is technically complex and it will require significant engagement with stakeholders, who have had limited capacity to engage in recent months. As with all other aspects of the act, officials have recommenced that work, and Parliament will be kept updated accordingly. I will encourage colleagues to ensure that we keep members informed about the progress of the work. Regrettably, some of the provisions in the act will probably have to slip into the next parliamentary session. I hope that information is helpful to Graham Simpson.

In closing, I note that we all agree that frequent, fast and reliable bus services are at the heart of a sustainable, inclusive transport system. That has to be the solution in addressing the historical decline in patronage and rebuilding to where we were prior to Covid-19. That is why we have launched the £500 million bus partnership fund, which supports local authorities' ambitions to tackle the negative impact of congestion on bus services with permanent bus priority infrastructure to make services more reliable, faster and therefore more likely to attract people out of their cars on to buses.

Included in the £500 million fund is the £10 million bus priority rapid deployment fund, which is a capital funding pot that has already seen funding awards to Highland Council, Dundee City Council, the Glasgow city region and the Edinburgh and the south-east region. I appreciate that those awards do not cover the whole country, but particular areas have been targeted through the fund.

I do not know whether the fund will benefit the areas in Lanarkshire and East Kilbride that Graham Simpson referred to or assist with the impact on students in Glasgow, which Monica Lennon mentioned. However, we remain engaged with operators, regional transport partnerships and local authorities to keep under review the financial support that is necessary to maintain a viable bus network and secure public transport's place at the heart of our transport system beyond Covid. I say to Colin Smyth that there is a good culture of developing engagement with local authorities, which may address the point that he raised.

Finally, I absolutely agree with the points that members raised regarding Alexander Dennis Ltd. It is an important business in the bus manufacturing sector. Members may remember that, in September, £7.4 million was awarded for 41 new electric buses and associated infrastructure through the Scottish ultra-low-emission bus scheme, and 35 of those electric buses will be built in Scotland by Alexander Dennis, which is really positive. Further funding has been awarded for the retrofitting of mid-life buses to become Euro 6 compliant, in line with low-emission zone regulations for clean air in, for example, Glasgow.

I will finish on the important point that Angus MacDonald made about hydrogen. I fully agree with him that hydrogen fuel technology has a very important role to play. I hope that members will soon see our hydrogen assessment project, which will give further detail on the demand case for hydrogen in the Scottish economy, including in relation to the transport system, and in particular for heavy vehicles such as buses and heavy goods vehicles. That project will be instructive in giving us a scale of the market demand in Scotland, and I look forward to seeing it.

Finally finally, I thank all members for their contributions—*[Interruption.]* I am perhaps stretching it a bit.

**The Deputy Presiding Officer:** Minister, I was going to say that I do not know how many times you have said “finally”. I hope that, finally, you have reached your final “finally”.

**Paul Wheelhouse:** I have indeed, Presiding Officer. I thank you and members for the debate, which has shone a light on some important issues relating to public transport services.

*Meeting closed at 19:20.*

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](http://www.parliament.scot)

Information on non-endorsed print suppliers  
is available here:

[www.parliament.scot/documents](http://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](mailto:sp.info@parliament.scot)

---



The Scottish Parliament  
Pàrlamaid na h-Alba