



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 2, No. 73, Session 6

Meeting of the Parliament

Tuesday 7 February 2023

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

The meeting opened at 2.00 pm.

1. Time for Reflection: Carol Wilde, Communication Director Scotland, Church of Jesus Christ of Latter-day Saints, led Time for Reflection.

2. Revision to Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-07834—That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 7 February 2023—

after

followed by Ministerial Statement: Scottish Government's Response to the Second Round of the Levelling Up Fund

insert

followed by Ministerial Statement: Protecting Teacher Numbers and Children's Learning Hours at School

(b) Wednesday 8 February 2023—

after

2.00 pm Portfolio Questions: Covid Recovery and Parliamentary Business; Finance and the Economy

insert

followed by Ministerial Statement: A9 Dualling Update

delete

5.10 pm Decision Time

and insert

5.40 pm Decision Time

The motion was agreed to.

3. Topical Questions: Questions were answered by a Cabinet Secretary and a Minister.

4. Ministerial Statement: The Minister for Just Transition, Employment and Fair Work (Richard Lochhead) made a statement and answered questions on Scottish Government's Response to the Second Round of the Levelling Up Fund.

5. Ministerial Statement: The Cabinet Secretary for Education and Skills (Shirley-Anne Somerville) made a statement and answered questions on Protecting Teacher Numbers and Children's Learning Hours at School.

6. Update on the Social Security Programme Business Case: The Minister for Social Security and Local Government (Ben Macpherson) moved S6M-07805—That the Parliament notes the updated social security programme business case; recognises the delivery of 12 Scottish social security benefits, seven of which are new forms of support only available in Scotland, including the Scottish Child Payment, which is a vital part of the collective national mission to tackle child poverty; acknowledges the imminent payment of the Scottish Government's 13th benefit, the Winter Heating Payment, which, in 2022-23, will provide 415,000 low-income households with a reliable £50 payment, and thereafter an annual reliable payment, backed by approximately £20 million; acknowledges the UK Government's contribution to the joint programme of delivery of Scottish Government benefits, and that the commitment of both governments will be required to deliver the programme business case; looks forward to the introduction of further Scottish Government benefits; agrees that social security is an essential investment in the people of Scotland; appreciates the important financial support that Scottish Government benefits provide to people, particularly during the current cost of living crisis, and welcomes the record investment of £5.2 billion in benefit expenditure in 2023-24, which will provide meaningful support to over one million people, including low-income households, disabled people and carers.

Jeremy Balfour moved amendment S6M-07805.1—

As an amendment to motion S6M-07805 in the name of Ben Macpherson (Update on the Social Security Programme Business Case), insert at end “; acknowledges that the Parliament was only given sight of the updated social security programme business case one day before it was debated; notes that the Winter Heating Payment will not be paid to many households until March 2023, which will likely be after the worst of the winter weather is over, and affirms that the Scottish Government's social security programme has run over budget and over time and, in many cases, has underdelivered for the people of Scotland.”

After debate, the amendment was disagreed to ((DT) by division: For 35, Against 84, Abstentions 0).

Pam Duncan-Glancy moved amendment S6M-07805.2—

As an amendment to motion S6M-07805 in the name of Ben Macpherson (Update on the Social Security Programme Business Case), leave out from “recognises” to end and insert “notes that the Scottish Government has ceded control of vital benefits to the Department for Work and Pensions until the second half of the decade, creating a further year's delay for hundreds of thousands of potential recipients of Scottish benefits; further notes that costs for delivering the social security programme are spiralling out of control, with higher than predicted estimates for IT and staffing; acknowledges that the Scottish Government's changes to the winter payment will leave many people in Scotland out of pocket over winter, during a cost of living crisis; calls on the Scottish Government to commit to no one losing out financially from its new Winter Heating Payment, and notes that the lack of transparency on plans to fund increased costs of Social Security Scotland's implementation have led to the inability of key organisations such as Audit Scotland to properly scrutinise Scottish Government policy.”

After debate, the amendment was disagreed to ((DT) by division: For 54, Against 64, Abstentions 0).

The motion was agreed to ((DT) by division: For 94, Against 23, Abstentions 0).

7. Motion Without Notice: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved without notice that, under Rule 11.2.4, Decision Time be brought forward to 4.58 pm.

The motion was agreed to

8. Decision Time: The Parliament took decisions on item 6 as noted above.

9. UNCRC (Incorporation) (Scotland) Bill: The Parliament debated S6M-07485 in the name of Martin Whitfield—That the Parliament notes that 16 March 2023 will mark two years since, it considers, the Scottish Parliament committed to delivering a “revolution in children’s rights”, by unanimously passing the United Nations

Convention on the Rights of the Child (Incorporation) (Scotland) Bill; believes that, by taking what it sees as a maximalist approach to incorporating children's rights into Scots law, Scotland would deliver a fundamental cultural shift that would transform the life chances and outcomes for children and young people, including in the South Scotland region; understands that the Bill was passed after over 10 years of campaigning by children, young people and their families, and was supported by children's organisations across Scotland; acknowledges reports that the passage of the Bill was celebrated widely by children and young people through to teachers, social workers, the police, MSPs across all political parties and members of UN committees; accepts that the Supreme Court of the United Kingdom ruled that the Bill needs to be amended to bring it within the competence of the Scottish Parliament; welcomes the Deputy First Minister's commitment to address the Supreme Court judgment through the Scottish Parliament's reconsideration process; acknowledges the view that children and young people still do not know what timescale the Scottish Government is working to, or how long this process will take, and understands that, as the second anniversary of the Bill being passed approaches, charities are urging MSPs to set out to children their continued commitment to the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Scots law and to supporting reconsideration of the Bill that brings it within the Parliament's competence, and are requesting that the Scottish Government sets out a timescale for the reconsideration process so that children and young people know when UNCRC incorporation will be a reality in their lives.

The meeting closed at 5.50 pm.

David McGill
Clerk of the Parliament
7 February 2023

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

Committee Reports

The following report was published on 3 February 2023—

Delegated Powers and Law Reform Committee, 13th Report, 2023 (Session 6): Delegated powers provisions in the National Care Service (Scotland) Bill at Stage 1 (SP Paper 313)

The following reports were published on 7 February 2023—

COVID-19 Recovery Committee, 1st Report, 2023 (Session 6): Road to recovery: the impact of the pandemic on Scotland's labour market (SP Paper 314)

Delegated Powers and Law Reform Committee, 14th Report, 2023 (Session 6): Subordinate Legislation Considered by the Delegated Powers and Law Reform Committee on 7 February 2023 (SP Paper 316)

Subordinate Legislation

Negative Instruments

The following instrument was laid before the Parliament on 3 February 2023 and is subject to the negative procedure—

Diligence against Earnings (Variation) (Scotland) Regulations 2023 (SSI 2023/27) laid under Section 104(1) of the Debtors (Scotland) Act 1987

Other Documents

The following document was laid before the Parliament on 3 February 2023 and is not subject to parliamentary procedure—

The Scottish Ministers response to the Scottish Commission on Social Security report on the draft Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2023 (SG/2023/31) laid under section 97(9)(a) of the Social Security (Scotland) Act 2018

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