



The Scottish Parliament Pàrlamaid na h-Alba

MINUTES OF PROCEEDINGS

Parliamentary Year 1, No. 30, Session 6

Meeting of the Parliament

Wednesday 22 September 2021

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

The meeting opened at 2.00 pm.

- 1. Portfolio Questions:** Questions on Covid-19 Recovery and Parliamentary Business and then on Net Zero, Energy and Transport were answered by Cabinet Secretaries and Ministers.
- 2. Ministerial Statement:** The Lord Advocate (Dorothy Bain) made a statement and answered questions on Diversion from Prosecution.
- 3. ScotRail:** Neil Bibby moved S6M-01300—That the Parliament considers that decisions taken in the coming months will shape the future of Scotland's railways for years to come; believes there should be no overall reduction in ScotRail services, compared with pre-pandemic levels, when new timetables are introduced in 2022; calls on Scottish ministers to reject overall service reductions; supports Scotland's railway workers in their current industrial disputes with ScotRail; calls on Scottish ministers to intervene to help resolve these disputes with fair settlements for workers; notes that 22 September 2021 is World Car Free Day, a day to promote alternatives to car use; calls on Scottish ministers to commit to an affordable, clean, green, reliable and modern railway that is publicly owned and accountable, with representation for trade unions and passengers in governance of a new public sector operator, and believes that the Scottish Government should set out a vision for the future of Scotland's railways based on service improvement, fair work and the decarbonisation of passenger rail services to help meet Scotland's net zero ambitions.

The Minister for Transport (Graeme Dey) moved amendment S6M-01300.2—

As an amendment to motion S6M-01300 in the name of Neil Bibby (ScotRail), leave out from “considers” to end and insert “welcomes the opportunity for decisions to be taken in the coming months that will shape the future of Scotland’s railways; acknowledges the opportunity to create a national rail service that meets the country’s needs and travel patterns by building back to pre-pandemic levels but also provides for expected future demand; thanks Scotland’s railway workers and staff for their commitment to keeping services running during unprecedented circumstances; recognises the financial challenges posed by the COVID-19 pandemic, but also believes that staff should be paid fairly and expects the employer to lead dialogue with trade unions to resolve current industrial disputes, with the aim of restoring rail services and re-establishing mutually acceptable industrial relations; welcomes that 22 September 2021 is World Car Free Day, a day to promote and undertake alternatives to car use; notes that Scottish ministers are committed to an affordable, clean, green, reliable and modern railway that is publicly owned and accountable, and founded on Fair Work First criteria, with representation for staff and passengers in the governance of a new public sector operator, and recognises that the Scottish Government will set out a vision for the future of Scotland’s railways based on service improvement, fair work, the decarbonisation of passenger rail services and an increase in rail freight, to help meet Scotland’s net zero ambitions.”

Graham Simpson moved amendment S6M-01300.1—

As an amendment to motion S6M-01300 in the name of Neil Bibby (ScotRail), leave out from “supports” to end and insert “notes the disruption that the RMT strikes have been having on passengers across the country and calls on the Scottish Government to work to deliver a resolution; further notes the Scottish Government’s intention to nationalise the service in March 2022 and therefore calls for the details and costs of its plans to be published urgently; believes that any operating model must put delivering a reliable and affordable service for passengers at the heart of its aim; notes the work of the Williams Rail Review and calls upon the Scottish Government to consider its recommendations carefully; further calls for the Scottish Government to undertake a review of disused tracks and stations with a view to reopening those that would support local growth and connectivity, and notes that, for many people across Scotland, particularly in rural areas, car travel is a necessity not a choice.”

After debate, amendment S6M-01300.2 was agreed to ((DT) by division: For 68, Against 53, Abstentions 0). As a result, amendment S6M-01300.1 was pre-empted.

The motion as amended was then agreed to ((DT) by division: For 68, Against 53, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament welcomes the opportunity for decisions to be taken in the coming months that will shape the future of Scotland’s railways; acknowledges the opportunity to create a national rail service that meets the country’s needs and travel patterns by building back to pre-pandemic levels but also provides for expected future demand; thanks Scotland’s railway workers and staff for their commitment to keeping services running during unprecedented circumstances;

recognises the financial challenges posed by the COVID-19 pandemic, but also believes that staff should be paid fairly and expects the employer to lead dialogue with trade unions to resolve current industrial disputes, with the aim of restoring rail services and re-establishing mutually acceptable industrial relations; welcomes that 22 September 2021 is World Car Free Day, a day to promote and undertake alternatives to car use; notes that Scottish ministers are committed to an affordable, clean, green, reliable and modern railway that is publicly owned and accountable, and founded on Fair Work First criteria, with representation for staff and passengers in the governance of a new public sector operator, and recognises that the Scottish Government will set out a vision for the future of Scotland's railways based on service improvement, fair work, the decarbonisation of passenger rail services and an increase in rail freight, to help meet Scotland's net zero ambitions.

4. Taking Action on the NHS and Ambulance Crisis: Jackie Baillie moved S6M-01302—That the Parliament thanks the Scottish Ambulance Service paramedics, technicians, call handlers and other frontline workers who are under significant stress as they cope with the current pressures on the health service; regrets the failure of the Scottish Government to address the underlying and systematic problems facing both the ambulance service and the wider health and social care service that predate the COVID-19 pandemic; welcomes the support of the British Army in helping alleviate the current pressures on NHS workers and patients; recommends that the Scottish Government adopt a 30-minute maximum turnaround time for ambulances from arrival at hospital, which will release paramedics to answer other calls, and protect staff welfare and wellbeing by reducing shift over-runs and guarding rest periods, and further calls on the Scottish Government to increase capacity in the health service ahead of winter by calling on recently retired staff to return temporarily and establishing temporary wards and field hospitals to ease the pressure on Accident and Emergency departments and manage the clinical backlog.

The Cabinet Secretary for Health and Social Care (Humza Yousaf) moved amendment S6M-01302.3—

As an amendment to motion S6M-01302 in the name of Jackie Baillie (Taking Action on the NHS and Ambulance Crisis), leave out from “regrets” to end and insert “recognises that excessively long waits for an ambulance can lead to worse outcomes for patients, and that the Scottish Government and Scottish Ambulance Service have apologised to people who have experienced long waits; notes that the Scottish Government has previously invested an additional £20 million to increase staff capacity in the ambulance service by almost 300; welcomes that an extra £20 million is now being invested to increase capacity further, including funding military personnel, recruiting additional Hospital Ambulance Liaison Officers, working with NHS boards to create Temporary Admission Wards and aiming to recruit 100 paramedic students to help alleviate the current pressures on ambulance staff, NHS workers and patients; further notes that the steps outlined by the health secretary will help alleviate pressure on the service in the immediate term and looking ahead to the winter; commends military personnel and the Scottish Fire and Rescue Service, which are providing driving support to the ambulance service in order to free up paramedic and technician time; supports the additional investment of £500,000 to improve ambulance service staff welfare, and the ongoing discussions

between the board and trade unions to develop a rest break action plan and put it in place as quickly as possible.”

After debate, the amendment was agreed to ((DT) by division: For 68, Against 53, Abstentions 0).

Sandesh Gulhane moved amendment S6M-01302.2—

As an amendment to motion S6M-01302 in the name of Jackie Baillie (Taking Action on the NHS and Ambulance Crisis), insert at end “; recognises that A&E waiting times have reached record highs, and believes that the four-hour A&E treatment target should be followed regardless of the emergency care setting; calls for the publication of weekly ambulance response time data so that progress can be measured in every region, and further calls for this year’s planned efficiency savings for the Scottish Ambulance Service to be halted.”

After debate, the amendment was disagreed to ((DT) by division: For 53, Against 67, Abstentions 0).

The motion was then agreed to ((DT) by division: For 70, Against 51, Abstentions 0).

Accordingly, the Parliament resolved—That the Parliament thanks the Scottish Ambulance Service paramedics, technicians, call handlers and other frontline workers who are under significant stress as they cope with the current pressures on the health service; recognises that excessively long waits for an ambulance can lead to worse outcomes for patients, and that the Scottish Government and Scottish Ambulance Service have apologised to people who have experienced long waits; notes that the Scottish Government has previously invested an additional £20 million to increase staff capacity in the ambulance service by almost 300; welcomes that an extra £20 million is now being invested to increase capacity further, including funding military personnel, recruiting additional Hospital Ambulance Liaison Officers, working with NHS boards to create Temporary Admission Wards and aiming to recruit 100 paramedic students to help alleviate the current pressures on ambulance staff, NHS workers and patients; further notes that the steps outlined by the health secretary will help alleviate pressure on the service in the immediate term and looking ahead to the winter; commends military personnel and the Scottish Fire and Rescue Service, which are providing driving support to the ambulance service in order to free up paramedic and technician time; supports the additional investment of £500,000 to improve ambulance service staff welfare, and the ongoing discussions between the board and trade unions to develop a rest break action plan and put it in place as quickly as possible.

5. Business Programme: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01328—That the Parliament agrees—

(a) the following programme of business—

Tuesday 28 September 2021

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by First Minister's Statement: COVID-19 Update

followed by Scottish Government Debate: Keeping the Lifeline - A Call to Cancel the Cut to Universal Credit

followed by Environmental Standards Scotland: Appointment of the Chief Executive

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 29 September 2021

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Health and Social Care; Social Justice, Housing and Local Government

followed by Scottish Conservative and Unionist Party Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.10 pm Decision Time

followed by Members' Business

Thursday 30 September 2021

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Constitution, External Affairs and Culture

followed by Ministerial Statement: Autumn and Winter Vaccine Programme

followed by Scottish Government Debate: Constitution, External Affairs and Culture

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

Tuesday 5 October 2021

2.00 pm Time for Reflection

followed by Parliamentary Bureau Motions

followed by Topical Questions (if selected)

followed by First Minister's Statement: COVID-19 Update

followed by Scottish Government Business

followed by Committee Announcements

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Wednesday 6 October 2021

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Justice and Veterans; Finance and Economy

followed by Scottish Government Business

followed by Business Motions

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

followed by Members' Business

Thursday 7 October 2021

11.40 am Parliamentary Bureau Motions

11.40 am General Questions

12.00 pm First Minister's Questions

followed by Members' Business

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

followed by Stage 3 Proceedings: Carer's Allowance Supplement (Scotland) Bill

followed by Parliamentary Bureau Motions

5.00 pm Decision Time

(b) that, for the purposes of Portfolio Questions in the week beginning 27 September 2021, in rule 13.7.3, after the word "except" the words "to the extent to which the Presiding Officer considers that the questions are on the same or similar subject matter or" are inserted.

Neil Bibby moved amendment S6M-01328.1—

As an amendment to motion S6M-01328 in the name of George Adam (Business Programme), after "First Minister's Statement: COVID-19 Update" insert "followed by Ministerial Statement: COVID-19 Vaccine Certification Scheme".

After debate, the amendment was disagreed to (by division: For 53, Against 68, Abstentions 0).

The motion was then agreed to (by division: For 68, Against 53, Abstentions 0).

6. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01329—That the Parliament agrees that the Health Protection (Coronavirus) (Requirements) (Scotland) Amendment Regulations 2021 (SSI 2021/299) be approved.

The motion was agreed to (DT).

7. Approval of SSI: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01330—That the Parliament agrees that the Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment (No. 2) Order 2021 [draft] be approved.

The motion was agreed to (DT).

8. Substitution on Committees: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01332—That the Parliament agrees that—

Katy Clark be appointed as the Scottish Labour Party substitute on the Public Audit Committee;

Paul Sweeney be appointed as the Scottish Labour Party substitute on the Economy and Fair Work Committee;

Rhoda Grant be appointed as the Scottish Labour Party substitute on the Standards, Procedures and Public Appointments Committee;

Colin Smyth be appointed as the Scottish Labour Party substitute on the Finance and Public Administration Committee;

Claire Baker be appointed as the Scottish Labour Party substitute on the Constitution, Europe, External Affairs and Culture Committee;

Paul O’Kane be appointed as the Scottish Labour Party substitute on the Equalities, Human Rights and Civil Justice Committee;

Carol Mochan be appointed as the Scottish Labour Party substitute on the Citizen Participation and Public Petitions Committee;

Rhoda Grant be appointed as the Scottish Labour Party substitute on the Delegated Powers and Law Reform Committee;

Jackie Baillie be appointed as the Scottish Labour Party substitute on the COVID-19 Recovery Committee;

Jackie Baillie be appointed as the Scottish Labour Party substitute on the Health, Social Care and Sport Committee;

Martin Whitfield be appointed as the Scottish Labour Party substitute on the Education, Children and Young People Committee;

Mercedes Villalba be appointed as the Scottish Labour Party substitute on the Net Zero, Energy and Transport Committee;

Daniel Johnson be appointed as the Scottish Labour Party substitute on the Criminal Justice Committee;

Mark Griffin be appointed as the Scottish Labour Party substitute on the Social Justice and Social Security Committee;

Sarah Boyack be appointed as the Scottish Labour Party substitute on the Local Government, Housing and Planning Committee;

Jamie Halcro Johnston be appointed to replace Tess White as the Scottish Conservative and Unionist Party substitute on the Finance and Public Administration Committee;

Russell Findlay be appointed to replace Sue Webber as the Scottish Conservative and Unionist Party substitute on the Health, Social Care and Sport Committee;

Sue Webber be appointed to replace Maurice Golden as the Scottish Conservative and Unionist Party substitute on the Standards, Procedures and Public Appointments Committee.

The motion was agreed to (DT).

9. Office of the Clerk: The Minister for Parliamentary Business (George Adam), on behalf of the Parliamentary Bureau, moved S6M-01333—That the Parliament agrees that, between 1 February 2022 and 31 January 2023, the Office of the Clerk will be open on all days except: Saturdays and Sundays, 15 April, 18 April, 2 May, 27 May, 2 June, 3 June, 16 September, 2 December, 23 December, 26 December and 27 December 2022, and 2 and 3 January 2023.

The motion was agreed to (DT).

10. Decision Time: The Parliament took decisions on items 3, 4, 6, 7, 8 and 9 as noted above.

11. National Eye Health Week 2021: The Parliament debated S6M-00792 in the name of Stuart McMillan—That the Parliament notes National Eye Health Week, which it considers does great work in promoting the importance of maintaining good eye health and, in 2021, runs from 20 to 26 September; believes that it continues to be vital for people in Scotland to book their free eye health check every two years in order to pick up changes to the eyes before they affect the vision; understands that 50% of sight loss is avoidable; notes the measures put in place in optometry practices across Scotland by healthcare professionals to make attending an eye health check safe during the COVID-19 pandemic; commends the work of Optometry Scotland and RNIB Scotland to encourage people to return to practices and check their eye health; emphasises what it considers the need to not forget eye health checks, and notes the call for people in Greenock and Inverclyde, and across Scotland, to book their free eye health check if they have not attended an examination in the last two years.

The meeting closed at 6.53 pm.

David McGill
Clerk of the Parliament
22 September 2021

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

Committee Reports

The following report was published on 22 September 2021—

Delegated Powers and Law Reform Committee, 6th Report, 2021 (Session 6):
Subordinate Legislation considered by the Delegated Powers and Law
Reform Committee on 21 September 2021 (SP Paper 15)

Legislative Consent Memorandum

The following memorandum was lodged on 21 September 2021—

John Swinney, Deputy First Minister and Cabinet Secretary for Covid
Recovery: Legislative Consent Memorandum on the Elections Bill (UK
Parliament legislation) (LCM-S6-8)

New Subordinate Legislation

Made Affirmative Instruments

The following instrument was laid before the Parliament on 22 September 2021 and is subject to the made affirmative procedure—

Health Protection (Coronavirus, Restrictions) (Directions by Local Authorities)
(Scotland) Amendment Regulations 2021 (SSI 2021/329)
laid under paragraph 6(3) of schedule 19 of the Coronavirus Act 2020

Affirmative Instruments

The following instruments were laid before the Parliament on 22 September 2021 and are subject to the affirmative procedure—

Redress for Survivors (Historical Child Abuse in Care) (Exceptions to Eligibility)
(Scotland) Regulations 2021 [draft]
laid under section 107(2) of the Redress for Survivors (Historical Child Abuse
in Care) (Scotland) Act 2021

Valuation and Rating (Coronavirus) (Scotland) Order 2021 [draft]
laid under section 6(7) of the Local Government (Scotland) Act 1975

Other Documents

The following documents were laid before the Parliament on 22 September 2021 and are not subject to parliamentary procedure—

**Scottish Public Services Ombudsman: Compendium Report of Discontinued
Investigations - Compendium of Case Reports for September 2021**

SPSO/2021/08 laid under Sections 15(1) and 15(1A) of the Scottish Public Services Ombudsman Act 2002

Care Inspectorate: Weekly Care Home deaths report – periods up to 19 September 2021 SG/2021/245 laid under Section 79A(3) of the Public Services Reform (Scotland) Act 2010

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