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COVID-19 Committee

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COVID-19 Committee

Remit: To consider and report on the Scottish Government's response to COVID-19 including the operation of powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19 and any secondary legislation arising from the Coronavirus (Scotland) Act and any other legislation in relation to the response to COVID-19.



Covid.Committee@parliament.scot

Committee Membership



Convener
Donald Cameron
Scottish Conservative
and Unionist Party



Deputy Convener
Monica Lennon
Scottish Labour



Willie Coffey
Scottish National Party



Maurice Corry
Scottish Conservative
and Unionist Party



Annabelle Ewing
Scottish National Party



John Mason
Scottish National Party



Stuart McMillan
Scottish National Party



Mark Ruskell
Scottish Green Party



Beatrice Wishart
Scottish Liberal
Democrats

Introduction


1. The COVID-19 Committee ('the Committee') was established as a subject committee on 21 April 2020.ⁱ Its remit was to consider and report on the Scottish Government's response to COVID-19 and specifically the use of powers under the Coronavirus Act 2020, the Coronavirus (Scotland) Act and the Coronavirus (Scotland) No. 2 Act. The Committee has also scrutinised any secondary legislation arising from these Acts as the lead policy committee. Secondary legislation relating to COVID-19 that was made using existing, pre-pandemic powers, was scrutinised by other subject committees according to their respective remits.
2. This legacy report sets out the Committee's reflections on the Scottish Government's use of the emergency powers and the scrutiny arrangements that were implemented to monitor their use. It then outlines what role the Committee has played in supporting the scrutiny of emergency legislation and Scotland's response to the pandemic. The Committee's report concludes by highlighting the policy challenges and scrutiny issues arising from COVID-19 that the new parliament may wish to consider in session 6.

ⁱ [S5M-21506](#) Liz Smith, on behalf of the Parliamentary Bureau: Establishment of a Committee.

Legislating for an emergency

Background

3. The first confirmed case of coronavirus (COVID-19) in Scotland was reported on 1 March 2020.ⁱⁱ The Scottish Parliament gave legislative consent to emergency powers contained in the Coronavirus Act 2020 on 23 March 2020,ⁱⁱⁱ before passing the Coronavirus (Scotland) Act in the following week, on 1 April 2020.^{iv} The Scottish Government brought forward further emergency legislation soon afterwards, the Coronavirus (Scotland) (No. 2) Act, which was passed on 26 May 2020.^v Together, these Acts gave extraordinary, time-limited powers to the Scottish Government to respond to COVID-19.^{vi}
4. The emergency legislation passed by the Scottish Parliament in this session reflects the fact that the COVID-19 pandemic has required the government to make wide-ranging public health interventions in society and the economy on a scale that is unprecedented in peace time. This challenge has been faced by all four administrations in the UK, as well as governments around the world. In the debate on the Legislative Consent Memorandum for the UK Coronavirus Bill, the Convener of the Finance and Constitution Committee highlighted how extraordinary the emergency powers were—

 We all know that governments would normally seek such powers only in times of war. We also know that, right now, we are in a war against an unseen and deadly enemy.^{vii}
5. The Scottish Government has emphasised throughout the pandemic that the use of the emergency powers to respond to COVID-19 must be "proportionate to the challenge" and must "only last as long as is required".^{viii} The Scottish Parliament, and particularly the Committee, has therefore played an essential scrutiny role in ensuring that the measures used are lawful and effective in meeting their policy aims.

ii [Scottish Government. \(1 March 2020\) *Coronavirus \(COVID-19\) confirmed in Scotland* .](#)

iii [S5M-21322](#) Michael Russell: UK Legislation - Coronavirus Bill.

iv [Coronavirus \(Scotland\) Act 2020 \(asp 7\)](#). [S5M-21371](#) Michael Russell: Coronavirus (Scotland) Bill.

v [Coronavirus \(Scotland\) \(No. 2\) Act \(asp 10\)](#). [S5M-21791](#) Michael Russell: Coronavirus (Scotland) (No.2) Bill.


vi For a full timeline of events, please see this blog: [Scottish Parliament Information Centre. \(2021\) *Timeline of Coronavirus \(COVID-19\) in Scotland* .](#)

vii [Scottish Parliament. *Official Report*, 24 March 2020, Col 57.](#)

viii [Scottish Government. \(9 June 2020\) *The Coronavirus Acts: Two Monthly Report to Scottish Parliament*, p. 2.](#)

COVID-19 legislation

6. This pandemic has arguably highlighted more so than at any other time the important role that parliament plays both in delivering rigorous scrutiny of government policy and decision-making, and passing "good quality, effective and accessible legislation".^{ix} COVID-19 has also created particularly challenging circumstances in which to deliver these aims. The challenges for the parliament have included the unprecedented scope of government powers to intervene in society and the economy; the volume of legislation that has been laid by the government; and the exceptional parliamentary procedure that has been used to implement secondary legislation with immediate effect and under compressed timescales for parliamentary scrutiny.
7. The government has relied upon secondary legislation, particularly the "health protection" powers derived from Section 49 of the Coronavirus Act 2020,^x to drive its policy response to COVID-19. These powers enable Scottish Ministers to make regulations—

 imposing or enabling the imposition of restrictions or requirements on or in relation to persons, things or premises in the event of, or in response to, a threat to public health.^{xi}
8. In total, the government has laid 41 instruments using the health protection powers in the past twelve months.^{xii} The extensive use of secondary, rather than primary, legislation to implement policy is unusual. For context, between 1 March 2020 and 1 March 2021, a total of 412 instruments were laid in the Scottish Parliament. 137 of these (or one in every three) were COVID-related.^{xiii}
9. These powers are also exceptional in their scope. They have enabled the government to make unprecedented emergency interventions in society and the economy, creating restrictions on our liberty, movement and social activity, as well as the delivery of public services and the operation of businesses. The scope of these measures has also enabled significant restrictions to be placed on public spaces and institutional settings, including the closure of schools and places of worship. The impact of the measures has been extraordinary and wide-ranging, which has created challenges for scrutiny in determining whether measures have been proportionate, as well as identifying issues where further measures are required to protect and support individuals, organisations and businesses.
10. The health protection powers are also notable for the parliamentary procedure that applies to their use. Paragraph 6(3) of schedule 19 of the Act enables Scottish Ministers to use 'made affirmative' procedure where they consider that the

^{ix} [Scottish Parliamentary Corporate Body. \(21 December 2020\) *Strategic Plan* .](#)

^x [Coronavirus Act 2020 \(c.7\), section 49.](#)

^{xi} [Coronavirus Act 2020 \(c.7\), schedule 19, paragraph 1\(3\)\(c\).](#)

^{xii} The timeframe for this figure covers the period 1 March 2020-1 March 2021. [Coronavirus Act 2020 \(c.7\), schedule 19, paragraph 6\(3\)\(b\).](#)

^{xiii} COVID-19-related is defined as any instrument with the word 'Coronavirus' in the title. Delegated Powers and Law Reform Committee, information provided to the Scottish Parliament Information Centre.

regulations need to be made urgently. This means that the regulations can be made immediately and remain in force for up to 28 days without parliamentary approval. To remain in force for longer than 28 days, parliamentary approval of the regulations must be obtained within this initial 28-day period.^{xiv} In practice, this means that each regulation must be scrutinised by the Delegated Powers and Law Reform Committee, the Covid-19 Committee and finally the Chamber within 28 days of being made.

11. Prior to the pandemic, the use of made affirmative procedure was rare, with only three made affirmative instruments being laid in 2019-2020. During the pandemic, Scottish Ministers have relied upon this procedure heavily to bring forward policy changes at short notice. 47 of the 56 SSIs considered by the Committee were made using the made affirmative procedure.
12. The sheer speed and volume of legislation has created challenges for parliamentary scrutiny, in terms of enabling public consultation on these measures; scrutinising the detail of the drafting and cross-checking updates to regulations against the existing statute book; as well as creating sufficient time to take evidence on and debate new legislation.

Scrutiny arrangements

13. The scope and scale of the emergency legislation has therefore meant that additional checks and balances were put in place to scrutinise its use and impact. The Committee has played a leading oversight role in this respect. From the outset, the emergency legislation was passed with inbuilt requirements for the government to review and report on the use and continued necessity of provisions under the Scottish Coronavirus Acts. Further measures were subsequently put in place in the latter part of 2020, when the parliament and government agreed additional arrangements to enhance parliamentary scrutiny.
14. One of the main checks and balances that was built into the emergency legislation was a two-monthly reporting requirement. The main provisions setting out these requirements are Section 15 of the Coronavirus (Scotland) Act 2020, and section 12 of the Coronavirus (Scotland) (No. 2) Act 2020. These provisions require Scottish Ministers to conduct a review of the provisions in Part 1 of those Acts to consider whether those provisions remain necessary. The reporting requirements include an obligation to take account of any information about the nature and number of incidents of domestic abuse, and to review and report on the status of every Scottish statutory instrument that have been made for the primary purpose of responding to COVID-19. These reports are prepared every two months.
15. The government has gone further than the minimum reporting requirements set out in the Scottish Coronavirus Acts. In its two-monthly reports to parliament, the government has reviewed the provisions of the Coronavirus Act 2020 for which the Scottish Parliament gave legislative consent. The government has also taken steps to provide detailed updates on its reasons for determining the continued necessity of provisions that may have greater impact on certain individuals or groups (in relation to the protected characteristics identified in the Equality Act 2020), or their

^{xiv} [Coronavirus Act 2020 \(c.7\), schedule 19, paragraph 6\(3\)\(b\).](#)

wider implications for equality and human rights.

16. The Committee has prioritised scrutiny of the two-monthly reports in its work by seeking views on what has been reported and taking evidence from Scottish Ministers on their publication. This has enabled the Committee to highlight stakeholders' concerns about provisions within the emergency legislation, such as those relating to adults with incapacity. It has also enabled the Committee to seek clarification of policy measures where these have been defined in guidance rather than regulation.
17. The Scottish Government published a revised strategic framework on 23 October 2020, which introduced a five-level system for implementing COVID-19 public health measures.^{xv} In November 2020, the parliament and government agreed to measures to further enhance parliamentary scrutiny of the implementation of the new levels system and the response to COVID-19 more widely. This included a commitment by the government to make a weekly ministerial statement on COVID-19 on Tuesday afternoons; to provide a draft copy of proposed regulations on Wednesday afternoon; and to make Scottish Ministers available to give evidence to the Committee each week on Thursday morning. The draft regulations were often made into law on Thursday afternoon or on the following day.
18. Once this agreement was put in place, the Committee took evidence from the responsible minister, Michael Russell, the Cabinet Secretary for the Constitution, Europe and External Affairs, and Professor Jason Leitch, the National Clinical Director, on a weekly basis. This enabled the Committee to take evidence in a timely manner from the Scottish Government on the latest public health developments as they arose and to consider draft legislative proposals before they were made into law.

19. **The Committee considers that the reporting requirements set out in the Coronavirus Scotland Acts have worked well in supporting parliamentary scrutiny.**
20. **The Committee considers that the enhanced scrutiny arrangements agreed between parliament and government have also worked well, including the ministerial statement on COVID-19; the provision of draft regulations; and the opportunity to take evidence from Scottish Ministers and public health officials at its weekly meetings. The Committee would like to thank Michael Russell MSP, Cabinet Secretary for the Constitution, Europe and External Affairs and Professor Jason Leitch, National Clinical Director, for their appearances at the Committee.**
21. **The Committee recommends that these enhanced scrutiny arrangements are continued in the early part of the new session. The Committee would expect government ministers and officials to continue to attend regularly at the successor committee in order for effective scrutiny to take place.**

^{xv} [Scottish Government. \(23 October 2020\) *Scotland's Strategic Framework* .](#)

The Committee's scrutiny role

22. COVID-19 has highlighted the valuable role that committees play in achieving the parliament's strategic aims. During this emergency, the committee forum has enabled members to conduct inquiries into emerging issues, facilitate public engagement and draw upon additional academic expertise in the scrutiny of technical areas of policy implementation.

Inquiries

23. The Committee worked in an innovative way to conduct inquiries in a fast-moving policy environment.^{xvi} The first strand of the Committee's inquiry work prioritised scrutiny of the government's use of emergency powers, as reported in the Scottish Government's two-monthly reports to parliament, as well as the government's proposals for extending the emergency legislation to March 2021 and September 2021 respectively. The Committee's evidence sessions with stakeholders highlighted important issues relating to health inequalities and enforcement, which it was able to put to the Scottish Government in weekly meetings.
24. The second strand of the Committee's inquiry work focused on the Scottish Government's preparedness for issues that lay ahead in its response to COVID-19. This included the Committee's early work on options for easing restrictions from the first lockdown in April and June 2020. The Committee continued this approach looking proactively at the social and economic impact of restrictions over winter and the festive period. The Committee also took evidence on the vaccination programme, including the research and development of COVID-19 vaccines; the COVID-19 vaccine safety regulation and approvals process; as well as the delivery of the vaccination programme and the prioritisation of eligible persons in the delivery plan. In this way, the Committee was able to scrutinise important issues that were not otherwise being considered by other subject committees.
25. The Committee's most recent work on Scottish Government's 'preparedness' included a focus on the Scottish Government's long-term strategy for responding to COVID-19 in 2021 and beyond. This work was encapsulated in the Committee's 'next steps' inquiry. The Committee took evidence from experts in epidemiology who had experience from Scotland, Hong Kong and New Zealand. This enabled the Committee to gain international perspectives on approaches to tackling Covid-19; to hear expert opinions on the future course of the pandemic; and to consider what could be learned from previous pandemics.
26. This evidence session and the Committee's other inquiry work highlighted the challenges that lie ahead, such as the impact of new variants on the vaccination programme and the continuing need for some level of public health measures to suppress the virus. This evidence gathering also made clear to the Committee the extent to which a global effort will be required to support the vaccine roll-out in other countries, such as the COVAX initiative,^{xvii} and highlighted different health

^{xvi} For more information about the Committee's inquiry work, please see the following report due to be published shortly: COVID-19 Committee. 9th Report, 2021 (Session 5). COVID-19 Committee: Annual Report 2020-21.

protection measures that could be used to support the re-opening of borders and international travel. The Committee was able to raise these issues in evidence sessions with the Scottish Government, including a session with the First Minister on 10 March 2021.^{xviii}

27. Due to the fast-moving public health situation, it has not been possible to publish inquiry reports in the traditional way. Instead, the outputs of the Committee's inquiry work have been used to inform its scrutiny of subordinate legislation and have been raised with Scottish Ministers in weekly evidence sessions with the Committee. This legacy report and particularly the Committee's recommendations for session 6 are also informed by the Committee's inquiry work.

Public engagement and consultation

28. The Committee has played an important role in supporting the Parliament's strategic objective to inform, involve and be accountable to the people of Scotland in its work. The COVID-19 pandemic has had a profound impact on everyone's lives over a sustained period of time, yet there has been little formal public consultation on the measures in place. One respondent to the Committee's 'next steps' inquiry noted in this regard that "This has been the only opportunity for me to voice my views on how this pandemic was handled." The Committee has therefore played a key role in providing means for individuals and stakeholders to provide their views and influence policy scrutiny.
29. The Committee focused its public consultation on major policy decisions facing the Scottish Government, including the government's proposals to extend the emergency legislation beyond September 2020 and March 2021 respectively. The Committee also launched a 'next steps' inquiry to ensure that views from the public and stakeholders informed its scrutiny of the government's revised strategic framework, which was published in February 2021.
30. As part of the next steps inquiry, the Committee commissioned a citizens' panel to consider and provide recommendations on "what priorities should inform the Scottish Government's strategy and approach to restrictions in 2021?". The nineteen participants were broadly representative of Scotland's population and met virtually over four weekends to learn about the topic before making recommendations. The Committee took evidence from five of the participants on the panel's report, which was published on 18 February 2021.^{xix}
31. The Committee also published a call for views as part of its 'next steps' inquiry. The call for views received more than 800 responses and highlighted priority issues for the public in the response to COVID-19, such as the easing of lockdown measures and the means by which government decisions are communicated to the public. The Committee used the Citizens' Panel's report and responses to the call for views

xvii [World Health Organisation. \(2021\) COVAX: Working for global equitable access to COVID-19 vaccines.](#)

xviii [COVID-19 Committee. Official Report, 10 March 2021 .](#)

xix [Scottish Parliament. \(2021\) Scottish Parliament Citizens' Panel on COVID-19 \(SP Paper 938\).](#)

to question the First Minister on the Scottish Government's revised strategy for responding to Covid-19 at its meeting on 10 March 2021.^{xx}

32. **The Committee recommends that the parliament continues to use deliberative democracy initiatives, such as citizens' panels, to inform its work in session 6.**

Scrutiny support

33. The Committee's scrutiny work has been supported by input from academic experts. In December 2020, the Committee appointed Professor Linda Bauld and Dr Helen Stagg as advisers with expertise in public health and epidemiology.^{xxi} The advisers provided the Committee with weekly advice in oral briefings, which was useful in supporting the scrutiny of draft regulations and wider developments in fast-moving policy landscape.
34. The Committee was able to draw upon the Scottish Parliament Research Centre's register of academic experts to seek views on Scotland's overall strategy for tackling the pandemic; any gaps in data and understanding; and finally to identify who is most at risk from COVID-19 and what can be done in the development of future policy-making to protect them. The results of that survey were helpful in informing the Committee's scrutiny of these issues.

35. **The Committee recommends that a successor committee should appoint advisers to support its scrutiny work.**

^{xx} COVID-19 Committee. *Official Report, 10 March 2021* .

^{xxi} Professor Linda Bauld, Bruce and John Usher Professor of Public Health, University of Edinburgh; Dr Helen Stagg, Reader, University of Edinburgh.

Covid-19 scrutiny in session 6

Lead scrutiny committee

36. As the parliament rises for the pre-election recess period, it is clear that we need to exercise cautious optimism. The very fact that the parliament has agreed to special measures not to dissolve until the day before the election highlights this very clearly. Although there is much to be optimistic about, including the vaccine roll-out, there are still challenges that lie ahead in this pandemic.
 37. At the time of agreeing this report, Scotland remains in a national lockdown with a 'stay-at-home' order in place. A third wave of the virus is underway in Europe, which highlights the extent to which the pandemic can change its course very quickly. We have already witnessed the impact of existing mutations on increased transmission of the disease and the risks posed by further mutations of the virus to the success of the vaccination programme remain to be seen.
 38. For these reasons the ongoing handling of the response to the pandemic will need to be carefully managed and it appears likely that a level of health protection measures will be needed for some time to come. Given the current state of the pandemic and the high level of restrictions in place, there may also be a backlog of made affirmative instruments requiring immediate scrutiny when the parliament returns. We also know that restrictions have a considerable impact on society and the economy. If further measures are required, it is essential that we maintain public support for the response to the pandemic and ensure the right support is in place to help people and businesses comply with what is being asked of them.
 39. A successor Covid-19 committee could therefore play a key role in continuing the work of the session 5 committee for as long as this is required in the pandemic. A successor committee should seek to complement and add value to the work of other subject committees whilst taking care, as this committee has done, not to duplicate any scrutiny work being done elsewhere. In order to ensure that a successor committee is able to be effective in its role as quickly as possible, it would be helpful for members of a successor committee to be briefed by the Delegated Powers and Law Reform Committee and relevant parliamentary officials at the earliest opportunity.
40. **The Committee considers that a successor COVID-19 committee should be established as a priority in session 6 and that the successor committee should continue to meet in the short-term for as long as is required in the pandemic response.**

Post-legislative scrutiny

41. The use of emergency legislation to respond to COVID-19 is likely to be an issue that the parliament will need to consider in session 6. This will require some level of post-legislative scrutiny to determine what aspects of the legislative framework

worked well and what could be improved. Government and parliament will also need to consider what legislative framework should be used to respond to COVID-19 beyond September 2021, when the Scottish Coronavirus Acts expire. Due to the short timescales involved, it would be beneficial for the parliament to conduct a post-legislative review of the response to COVID-19 in the past twelve months prior to any new primary legislation being implemented.

42. A key issue to consider in any post-legislative review is the extent to which our existing public health and civil contingencies legislative framework is fit to deal with pandemics. This is an issue that was raised with the Committee by the Law Society of Scotland, which highlighted that–

” The preference of Government to employ either the Coronavirus specific legislation or Public Health Acts rather than Civil Contingencies legislation raises questions about the legislative framework which applies across the UK and its fitness to deal with future public health crises.^{xxii}

43. The question of what gaps the emergency legislation filled in existing legislation was also raised by the Scottish Police Federation, which highlighted the extent to which the enforcement of public health measures was done using common law, rather than provisions within the emergency legislation–

” Under the emergency legislation that was brought in to deal with a particular set of circumstances, individuals who are considered not to have complied with the restrictions that the legislation provides for are finding themselves charged under common law. That suggests that judgements are being made that the provisions of the legislation do not go far enough to cover the examples of behaviour that police officers are encountering.^{xxiii}

44. Other stakeholders, such as Inclusion Scotland, highlighted concerns about the extent to which filling perceived gaps in the existing legislative framework using emergency legislation had a disproportionate impact on the human rights of people with disabilities. Inclusion Scotland explained that any post-legislative review of the emergency legislation should include people with disabilities and highlighted specific examples of where this could be improved, noting that–

” ...the working group that is looking at how the provisions relating to adults with incapacity work does not include any representatives of people with learning disabilities. That is because the focus of the legislation has been on those who are charged with delivering services, rather than those who receive services.^{xxiv}

45. **The Committee considers that the parliament should conduct post-legislative scrutiny of the emergency legislation that was used to respond to COVID-19. This review should also consider the fitness of the existing public health and civil contingencies legislative framework to respond to public health emergencies in the future. The review should also consider the impact of emergency public health measures on people who are more**

^{xxii} Law Society of Scotland. Written submission.

^{xxiii} COVID-19 Committee, *Official Report*, 4 March 2021, Cols 6-7.

^{xxiv} COVID-19 Committee, *Official Report*, 4 March 2021, Col 3.

likely to experience social and health inequalities. The Committee considers that it would be beneficial for parliament to conduct this review prior to any new primary legislation being implemented to respond to COVID-19.

COVID-19 recovery

46. The unprecedented impact of COVID-19 on society and the economy means that the parliament and government must make Scotland's COVID-19 recovery a priority issue in session 6. The Committee is aware that many other subject committees conducted inquiries into the impact of COVID-19 on the sectors within their remits. The Committee has therefore not examined COVID-19 recovery in any detail, but considers that this is an important issue for the new parliament and relevant subject committees to address.

47. **The Committee considers that the new parliament should draw upon findings and recommendations from all relevant subject committees in relation to COVID-19 to inform priority issues for scrutiny in session 6.**

Addendum

Addressing COVID-19 in the future: reflections from the Committee's advisers

48. At the start of December 2020 we were appointed by the Scottish Parliament Corporate Body to advise the COVID-19 committee on its scrutiny of Scotland's response to the pandemic. Our role since then has been to provide expert technical advice on epidemiological and wider policy and health protection measures. We have met with committee members in a pre-briefing in thirteen sessions, roughly weekly, before the formal committee meeting.
49. At the time of our appointment, case numbers, test positivity and hospital admissions were at a high level in Scotland and rose throughout December and much of January. Since then due to public health measures and protective behaviours, guidance, regulations and compliance by the public, along with the rapid roll out of the vaccine programme, much progress has been made in reducing the incidence of infection and prevalence of disease in Scotland. But as the current situation in a number of other countries illustrates, including in some countries in Europe, we cannot assume that the pandemic is ending in Scotland.
50. In a recent briefing for the committee we prepared a short paper on next steps and future issues to consider from our perspective. Included in this paper was Figure 1 below that sets out some factors that will be key in the ongoing response to Covid-19 in the coming months and the longer term. These represent factors we can already be confident about/are established (in grey) but also those where there is existing (but not definitive) evidence in purple and those areas that will remain areas of concern or that need further research or development (in red). We also note (not in Figure 1) the currently limited information on the precise nature, duration, and frequency of long Covid.

Figure 1: Critical factors for the ongoing COVID-19 response

Red = area of concern. Purple = area of uncertainty.

VIRAL <ol style="list-style-type: none"> 1. Rapid genetic change <ol style="list-style-type: none"> a. Transmissibility b. Immune evasion c. Ability of the virus to cause disease/death 	TESTING <ol style="list-style-type: none"> 1. Acceptable 2. Accurate 3. Cheap 4. Easy-to-use 5. Easy-to-access
HUMAN BIOLOGICAL <ol style="list-style-type: none"> 1. Asymptomatic transmission 2. Immunity after 'natural' infection 	VACCINES <ol style="list-style-type: none"> 1. Acceptable 2. Effective against disease 3. Effective against transmission 4. Cheap 5. Easy-to-distribute 6. Duration of vaccine-induced immunity
	TREATMENTS <ol style="list-style-type: none"> 1. Acceptable 2. Effective 3. Affordable 4. Easy-to-access

51. Alongside these issues there will be an ongoing need to maintain, resource and, in some cases improve public health infrastructure and interventions (surveillance, reporting, test and protect, personal protective equipment, quarantine and support for self-isolation, communication with the public) in Scotland. A further area for attention will be preparation for future local outbreaks or even a further national surge in infections which may be more likely this autumn or winter than in the summer. As others have written^{xxv}, SARS-CoV-2 may become a recurrent seasonal infection. In that case- alongside monitoring the epidemic and variants, as well as modifying vaccines as appropriate- it will be necessary in Scotland to plan for and manage winter hospital surges, reduce transmission in workplaces and educational settings (by re-establishing mitigating measures), and protect the most vulnerable, including those in care homes and with underlying health conditions. It is important in communicating with the public that it is made clear that these are areas where a longer term strategy is important, and the potential impacts.

^{xxv} Murray, C and Piot, P (2021) The potential future of the Covid-19 pandemic: Will SARS-CoV-2 become a recurrent seasonal infection? JAMA, doi:10.1001/ajam.2021.2828

52. The Scottish Government's strategic framework on COVID-19 includes measures to address the range of other harms caused by the pandemic - to education, health and social care services, families, communities and businesses. There are other parliamentary committees responsible for examining these issues but there is inevitable overlap. Our hope is that addressing these wider harms and their long term implications will be an area of growing focus and attention in the months to come.
53. In addition, it will be vital to focus on pandemic preparedness in the future so that critical knowledge and capacity built over the past year is not lost. A Standing Advisory Committee on Pandemics, for example, would go some way to ensuring we are better equipped to face the next global challenge. Such a committee could make key recommendations such as:
- ensuring that data linkage across healthcare and public health systems is rapid, accurate, and publicly acceptable to drive rapid policy responsiveness
 - making the national response more robust to later pandemic events, through addressing particular inequalities that have contributed to some groups in the population being more susceptible
 - maintaining a pool of experts whose time can be leveraged so they can rapidly contribute to pandemic efforts
 - recognising and addressing sources of misinformation, building public confidence in legitimate information sources and people's ability to distinguish between legitimate and more questionable sources, while appreciating the root sources of misinformation in particular communities
54. Any successor to the current COVID-19 committee will have an important role to play in scrutinising and reporting on the Scottish Government's ongoing response to the pandemic. As advisors, we have also benefitted from working together although we come from different disciplinary backgrounds (behavioural science and public health; epidemiology and the laboratory sciences). We are pleased to have contributed to the work of the committee and to this report.

Professor Linda Bauld and Dr Helen Stagg

March 2021

