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COVID-19 Recovery Committee

COVID-19 Recovery Committee: Annual Report 2021-22



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COVID-19 Recovery Committee

To consider and report on matters relating to COVID-19 falling within the responsibility of the Cabinet Secretary for COVID Recovery and other Scottish Ministers where relevant, including—

- (a) Cross government coordination of COVID-19 recovery policies and strategic review;
- (b) the operation of powers under the Coronavirus (Scotland) Act, the Coronavirus Act and any other legislation in relation to the response to COVID-19;
- (c) any secondary legislation arising from the Coronavirus (Scotland) Act; and
- (d) and any other legislation or policy in relation to the response to COVID-19.



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Committee Membership



Convener
Siobhian Brown
Scottish National Party



Deputy Convener
Murdo Fraser
Scottish Conservative
and Unionist Party



Jim Fairlie
Scottish National Party



John Mason
Scottish National Party



Alex Rowley
Scottish Labour



Brian Whittle
Scottish Conservative
and Unionist Party

Introduction

1. This report covers the work of the COVID-19 Recovery Committee during the parliamentary year from 13 May 2021 to 12 May 2022. The Committee was established in June 2021 and during this parliamentary year the Committee has focused on the Scottish Government's response to COVID-19 and actions taken to recover from the pandemic.
2. It has been a busy year for the Committee in which it has had to work flexibly to allow it to undertake its planned inquiry work, whilst also scrutinising the numerous regulations associated with the ever changing pandemic situation. The Committee has also undertaken scrutiny of referred primary legislation.

Meetings

3. The Committee met 30 times during the reporting period, one meeting was held entirely in private, and 27 meetings included items in private. The reasons for taking business in private were to consider the Committee's work programme, to consider draft reports, or to consider the evidence heard during committee meetings.

Legislation

Coronavirus (Discretionary Compensation for Self-isolation) (Scotland) Bill

4. [The Coronavirus \(Discretionary Compensation for Self-isolation\) \(Scotland\) Bill](#) and its accompanying documents was introduced in the Scottish Parliament by the Scottish Government on 15 November 2021.
5. The Bill sought to extend temporary modifications to the [Public Health Etc \(Scotland\) Act 2008](#) ("the 2008 Act") so that health boards would have discretion as to whether to pay compensation for self-isolation in connection with COVID-19, rather than a duty. The Bill was required as a consequence of previous temporary modifications made to the 2008 Act by the [UK Coronavirus Act 2020](#) expiring or ceasing to have effect.
6. The Committee issued a call for views on the Bill and received 3 responses. The Committee took evidence at Stage 1 at its meetings on [2](#) and [16](#) December 2021 and published its [Stage 1 report](#) on 13 January 2022.
7. The Stage 1 debate took place on [20 January 2022](#) and on [27 January 2022](#), the Committee considered the Bill at Stage 2, including proposed amendments to the Bill.
8. Following a Stage 3 debate in the Chamber on 9 February 2022, the Bill passed by a vote of For 122, Against 0, Abstentions 0. The Bill became an [Act](#) on 23 March 2022.

Coronavirus (Recovery and Reform) (Scotland) Bill

9. [The Coronavirus \(Recovery and Reform\) \(Scotland\) Bill](#) and its accompanying documents was introduced in the Scottish Parliament by the Scottish Government on 25 January 2022. The COVID-19 Recovery Committee was designated as the lead committee and its focus was on the Bill's general principles, as well as the provisions in Part 1, Part 3 (other than the justice-related provisions) and Part 6.
10. The Criminal Justice Committee was designated as a secondary committee and its focus was on the justice-related provisions in Part 3 and Part 5. The Local Government, Housing and Planning Committee was also designated as a secondary committee and its focus was on the tenancies provisions in Part 4. The Education, Children and Young People Committee also had an interest in the Bill and considered the provisions in Part 2.
11. The lead and secondary committees published a joint call for views on 3 February 2022 and invited respondents to complete either a detailed response, or a short survey. The committees received 89 written submissions and 3,926 respondents completed the survey. The lead and secondary committees also took oral evidence from stakeholders and Scottish Ministers at Stage 1.

12. The Scottish Government was given time-limited emergency powers to respond to COVID-19 in the [Coronavirus Act 2020](#), the [Coronavirus \(Scotland\) Act 2020](#), and the [Coronavirus \(Scotland\) \(No.2\) Act 2020](#). Some of these provisions were extended by the [Coronavirus \(Extension and Expiry\) \(Scotland\) Act 2021](#). The purpose of the Bill is to make permanent some of the time-limited powers that were contained in the previous and to extend others for a further period. The Bill also introduces new measures that were not contained in the emergency legislation, which the Scottish Government considers are complimentary to the overall purpose of the Bill.
13. The Committee took evidence at Stage 1 at its meetings on [3](#), [10](#), [24](#) and [31](#) March 2022 and published its [Stage 1 report](#) on 22 April 2022. The Committee expects to consider the Bill at Stage 2 early in the next parliamentary year.

Secondary legislation

14. In total, the Committee considered 68 Scottish Statutory Instruments during its reporting period—
 - 51 Made affirmative
 - 5 Draft affirmative
 - 5 Negative instruments
 - 7 Laid only
15. The Committee's Scottish Statutory Instruments reports can be found on the Parliament's [webpage](#).

Inquiries and reports

Vaccination Certification

16. Following the Scottish Government's [announcement](#) on 1 September 2021 to introduce, by regulation, a mandatory COVID vaccination certification scheme in Scotland from October 2021, the Committee agreed to undertake pre-legislative scrutiny of the proposals. The vaccination certification scheme required people to show proof that they have been fully vaccinated (or are otherwise exempt) to get into certain late-night premises and large-scale events and would be reviewed every three weeks.
17. The Committee took evidence from stakeholders at its meetings on [16](#), [23](#) and [30 September 2021](#).
18. The Committee then wrote to the Deputy First Minister and Cabinet Secretary for COVID Recovery on [30 September 2021](#), outlining issues which should be addressed during the scheme's implementation and suggested various indicators which the Scottish Government should measure and report on at each three-week review point of the scheme.
19. The Deputy First Minister and Cabinet Secretary for COVID Recovery responded on [28 October 2021](#) and the Committee considered the regulations giving effect to the scheme at its meeting on [4 November 2021](#). The Deputy First Minister provided further information on [12 November 2021](#).

Baseline health protection measures: preparing for winter and pathways to recovery

20. The Committee conducted a short inquiry into baseline health protection measures: preparing for winter and pathways to recovery. The inquiry considered what role baseline health protection measures such as face coverings, vaccination, social distancing and, in particular, ventilation, could play in lessening the impact of COVID-19 over the winter period and the measures required to support long-term recovery.
21. The inquiry focused on three broad policy areas: health and social care services; the hospitality, business and leisure sectors; and schools.
22. The Committee took evidence from stakeholders at its meetings on [4](#), [11](#), [18](#) and [25 November 2021](#). Following these sessions, the Committee held a debate in the Chamber on [2 December 2021](#). This debate also allowed conveners of other committees to speak about their COVID-19 related work.

Excess deaths in Scotland since the start of the

pandemic

23. The Committee agreed to undertake a short inquiry into excess deaths in Scotland since the start of the pandemic. The purpose of the inquiry was to examine the extent to which excess deaths are caused by the COVID-19 caseload or the indirect health impacts of the pandemic.
24. The Committee issued a call for views on the inquiry and received 103 responses. The Committee took evidence on the inquiry at its meetings on [24 February 2022](#), [10 March 2022](#) and [17 March 2022](#). As part of the inquiry, the Committee's advisers suggested sourcing information on excess deaths including key data and trends. This information was provided by the Scottish Government, which was collated and analysed by SPICe.
25. The Committee [wrote](#) to the Scottish Government and to the Health, Social Care and Sport Committee on 28 April 2022 on issues raised during the inquiry. The Committee made a number of observations and recommendations to assist in the understanding of the issue and help mitigate the impact the pandemic has had on excess deaths in Scotland. It expects to consider a response from the Scottish Government early in the next parliamentary year.

Ministerial Statements and two monthly reports

26. Throughout the parliamentary year, the Committee took evidence from the Deputy First Minister and Cabinet Secretary for COVID Recovery on the Ministerial statements on COVID-19 and on the two monthly reports to Parliament on the Scottish Coronavirus Acts.

Equalities and human rights

27. The Committee has mainstreamed equalities throughout its work, including a focus on the impact of COVID-19 on inequality and human rights. In its [statement on priorities](#), the Committee determined that it would draw on the experiences of the COVID-19 pandemic to understand and influence how to deliver an inclusive, ambitious and sustainable recovery with one of its objectives being to incorporate human rights and sustainable development principles into its scrutiny approach. The Committee also agreed that its non-legislative scrutiny of COVID-19 recovery would have a specific focus on health inequalities.
28. For example, in its inquiry into excess deaths, the Committee heard that the impact of the pandemic was greater on those from deprived areas and that this could have an impact on excess deaths in those areas. The Committee recommended that the Scottish Government sets out its response to the recommendations made by the [Primary Care Health Inequalities Short-Life Working Group](#) and requested further information on what data would need to be collected in order to measure the differential impact of the pandemic on excess deaths in deprived areas so that the underlying causes may be effectively addressed. The Committee expects to consider the Scottish Government's response early in the next parliamentary year.
29. In addition, as the lead committee responsible for scrutinising the rollout of the COVID-19 vaccination programme in Scotland, the Committee continued its scrutiny of the programme throughout the parliamentary year regularly raising questions with the Deputy First Minister and Cabinet Secretary for COVID Recovery. SPICe supported the Committee to gather and analyse Scottish Government data, including on the rollout of the programme, in a regular COVID-19 update briefing. Amongst other things, this briefing highlighted trends in uptake of the vaccination programme by region, age and ethnicity.
30. The Committee decided to investigate why there was below average uptake of COVID-19 vaccines in some demographics within the Scottish population and took evidence at its meeting on [9 December 2021](#) to learn more about the reasons behind this. The Committee focused this session on vaccination uptake in minority ethnic communities and in communities experiencing higher levels of deprivation. This session covered relevant issues, including the equity of access to the vaccination programme, as well as access to trusted and reliable public health information on COVID-19 and vaccination. The Committee then wrote to the Scottish Government on [23 December 2021](#) summarising the evidence heard and suggested ways to improve vaccine update among those currently unvaccinated.
31. The Committee also considered the vaccination certification scheme and wrote to the Scottish Government on the implementation and monitoring of the scheme to ensure it did not impact negatively on the human rights of certain groups.

Public engagement and innovation

32. The Committee used innovative approaches to involve and inform the public and stakeholders in its work. For example, the Committee launched a consultation on the ["Your Priorities" platform](#) seeking questions from the public about the Scottish Government's ongoing response to COVID-19. The "Your Priorities" platform was open between 14 October and 6 December and generated 60 questions. The questions were arranged into themes and raised with the Deputy First Minister and Cabinet Secretary for COVID Recovery during regular evidence sessions. The responses were posted on the platform so that they could be viewed by members of the public. The Committee then wrote to the Deputy First Minister and Cabinet Secretary for COVID Recovery on [8 February 2022](#) with outstanding questions not raised during a committee meeting. The Deputy First Minister and Cabinet Secretary for COVID Recovery responded on [16 March 2022](#), which was then posted on the platform and e-mailed to participants.
33. The Committee also sought public input into its scrutiny of primary legislation. For example, it agreed to use a short survey on the Citizens Space platform to allow members of the public to comment on the Coronavirus (Recovery and Reform) (Scotland) Bill. The Committee also provided an option for stakeholders to comment on the detailed provisions in the Bill using a separate response option.

Advisers

34. At its meeting on 23 September 2021, the Committee agreed to appoint three advisers—
- Dr Helen Stagg, Reader/Associate Professor (Chancellor’s Fellow) in Infectious Disease Epidemiology at University of Edinburgh
 - Professor Peter Donnelly, Professor of Public Health Medicine and Director of the Sir James Mackenzie Institute at University of St Andrews
 - Professor Susie Dunachie, National Institute for Health Research Global Research Professor at University of Oxford
35. The Committee would like to thank the advisers for assisting Members with their scrutiny work.

Infographics

Meetings held, subordinate legislation considered and reports published.



30

Committee meetings



SSIs considered



Reports published

Bills, Inquiries and witnesses



Bills scrutinised



Inquiries held



135

Number of people
who gave evidence
representing **59**
organisations

