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## COVID-19 Recovery Committee

# COVID-19 Recovery Committee Legacy Report



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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**  
**Jim Fairlie**  
Scottish National Party



**Deputy Convener**  
**Murdo Fraser**  
Scottish Conservative  
and Unionist Party



**John Mason**  
Scottish National Party



**Stuart McMillan**  
Scottish National Party



**Alex Rowley**  
Scottish Labour



**Brian Whittle**  
Scottish Conservative  
and Unionist Party

# Introduction

1. The COVID-19 Recovery Committee ('the Committee') was established as a subject committee on 15 June 2021.<sup>1</sup> Its remit was to consider and report on matters relating to COVID-19 falling within the responsibility of the then Cabinet Secretary for COVID Recovery and other Scottish Ministers where relevant.
2. Its policy remit included scrutinising the cross government coordination of COVID-19 recovery policies and strategic review, as well as any legislation or policy in relation to the response to COVID-19. The Committee's remit specifically covered the time-limited emergency legislation that was enacted in response to the pandemic. This included the operation of powers under the Coronavirus (Scotland) Act and the Coronavirus Act (which had already been passed by the time the Committee was established), including any secondary legislation arising from the Coronavirus (Scotland) Act.
3. This legacy report explains the process by which a decision was taken by the Parliament that the Committee should wind-up, before providing an overview of the policy issues that the Committee examined since it was established. It concludes by highlighting priority issues related to the Committee's remit that other subject committees may wish to take forward in the remainder of Session 6.

# Membership

4. The following changes to the membership of the Committee took place since it was established—
- Siobhian Brown MSP (SNP) was a member from 17 June 2021 and Convener from 23 June 2021 until 30 March 2023.
  - Stuart McMillan MSP (SNP) became a member from 18 April 2023.
  - Jim Fairlie MSP (SNP) became Convener from 20 April 2023.



Source: Scottish Parliament

# Background

5. The Committee was established for the duration of the whole session of the Parliament with a remit set out in Motion S6M-00393.<sup>2</sup> On 28 March 2023, Humza Yousaf MSP was appointed as First Minister and formed a new government of cabinet ministers. The COVID Recovery portfolio was not included in the First Minister's appointments to the cabinet. The Parliamentary Bureau therefore invited the Committee to share its views on the impact of this development on the Committee's remit and work programme going forward.
6. The Committee responded to the Parliamentary Bureau in a letter dated 31 May 2023.<sup>3</sup> The Convener and Deputy Convener were then invited to attend the Parliamentary Bureau's meeting on 20 June 2023 to discuss the issues raised by the Committee.<sup>4</sup> The Parliament agreed Motion S6M-09720 to wind-up the Committee on Wednesday, 28 June 2023.<sup>5</sup> The Committee's final meeting was held on Thursday, 29 June 2023. It formally dissolved on Friday, 14 July 2023.

# The Committee's scrutiny role

## Legislation

7. A key purpose of establishing the Committee was to consider and report on legislation introduced in response to COVID-19. The Committee was designated as lead committee on the following bills in Session 6:
  - Coronavirus Discretionary Compensation for Self isolation (Scotland) Bill
  - Coronavirus Recovery and Reform (Scotland) Bill
8. The Committee also considered and reported on the operation, extension, expiry and/or suspension of temporary emergency legislation used in the response to COVID-19. These measures were often implemented through secondary legislation. In total, 73 instruments were referred to the Committee, including 54 instruments subject to the made affirmative procedure; 5 instruments subject to the affirmative procedure; 7 instruments subject to the negative procedure; and 7 laid only instruments. An additional 11 instruments subject to the made affirmative procedure went to the Chamber directly without prior Committee scrutiny at the start of session due to the deadlines for scrutiny. If counted together, this brings the total SSIs that were laid in the Committee's remit in this session prior to it being dissolved to 84.

## Inquiries

9. The Committee remained responsive to the changing policy landscape, as Scotland moved from the management of COVID-19 using protective measures, both through regulations and guidance, into the recovery period. Accordingly, the Committee's initial focus was on the direct impacts of and response to COVID-19, which evolved in late 2021 in light of key developments, including the publication of a revised Strategic Framework for COVID-19, the emergence of the Omicron variant and the reintroduction of public health restrictions and guidance. As the COVID-19 pandemic appeared to stabilise in 2022, the Committee's focus evolved to consider and report on recovery issues.
10. The Committee undertook pre-legislative scrutiny of the Scottish Government's intention to implement a COVID-19 vaccination certification scheme in the autumn of 2021. The Committee then considered what public health measures should be retained in the medium-term in its inquiry into "Baseline health protection measures: preparing for winter and pathways to recovery". This included the impact of health protection measures on the health and social care sectors; hospitality, business and leisure sectors; and schools. As the first booster vaccination programme was rolled out in the winter of 2021, the Committee monitored engagement with the programme with a focus on communities where uptake was below average. It also monitored the Scottish Government's response to the highly infectious Omicron variant through regular evidence sessions with the Cabinet Secretary for COVID Recovery.
11. In February 2022, the Committee launched an inquiry into excess deaths since the

start of the pandemic. In this inquiry, the Committee began to consider the longer-term impacts of the pandemic as Scotland entered the COVID recovery period. The Committee's inquiry considered how the pandemic impacted on the level of engagement with healthcare services at a population level, including cancer screening services and primary care. The Committee concluded that it was too early to be definitive about the exact impact of the pandemic on excess deaths in Scotland, given the short-term fluctuations in deaths and the complexity in disentangling those caused by COVID from those where COVID may have been contributory or coincidental. The Committee shared its findings with the Health, Social Care and Sport Committee as an emerging issue that would benefit from further scrutiny once the impacts of the pandemic on excess deaths became better known.

12. In May 2022, the Committee launched an inquiry into the communication of public health information. This inquiry examined how public health messaging had evolved over the course of the pandemic and into the recovery period. It highlighted the concerns of people who were previously on the highest-risk list as society moved into a 'new normal' without many of the public health protection measures that were previously in place. The inquiry also considered the challenges posed by misinformation and disinformation in communicating public health messages and the extent to which scientific information and advice about personal health risks and risks to wider society informs decision-making and public health messaging.
13. In autumn 2022, the Committee launched an inquiry that considered how long-term illness and early retirement were impacting on Scotland's labour market and recovery from the pandemic. The Committee highlighted post-pandemic opportunities to implement flexible working across many sectors in the recovery period to support more disabled people and people with long-term illnesses into the labour market, whilst encouraging older workers to remain in the labour market for longer.
14. The Committee's pre-budget scrutiny of the Scottish Government's 2023-24 budget focused on the funding in place to support the implementation of the Scottish Government's COVID Recovery Strategy and the ongoing costs associated with the pandemic, as set out in the COVID-19 Strategic Framework. The Committee examined the extent to which the Scottish Government was investing in measures, such as genomic sequencing and waste water surveillance, to support Scotland's resilience against future pandemics for the long-term. It also considered the learning that could be drawn from the OECD about conducting effective spending reviews and measuring COVID recovery.
15. In January 2023, the Committee launched an inquiry into the actions being taken by the Scottish Government to address Long COVID. The inquiry appeared to be the first of its kind for a UK legislature. It highlighted opportunities to raise awareness of the condition amongst the general public, employers and medical professionals and made recommendations about the treatment and support available to patients on the NHS.
16. In May 2023, the Committee considered what progress was being made under the NHS Recovery Plan to return NHS dental services to pre-pandemic levels of activity. This inquiry followed on from the Committee's earlier inquiry on baseline health protection measures, which considered the impact of COVID on dentistry, particularly the introduction of fallow periods and alternatives to high-speed aerosol

treatments.

## Public engagement and consultation

17. The Committee's scrutiny was informed by engagement from the public and stakeholders. Questions submitted by the public between 4 October 2021 and 2 December 2021 were used to inform the Committee's scrutiny of Scottish Ministers' policy announcements on COVID-19. The Committee also led parliamentary scrutiny of the actions being taken to address Long COVID, giving people affected by the condition the opportunity to share their experiences and views in written evidence, as well as informal and formal evidence sessions. The Committee heard from more than 200 dentists in a survey conducted as part of the inquiry into the recovery of NHS dental services.
18. The public and stakeholders also actively engaged in the Committee's legislative scrutiny. For example, the Committee received 3,926 responses to its consultation on the Recovery and Reform (Scotland) Bill. The Committee's pre-legislative scrutiny of the Scottish Government's vaccination certification scheme also enabled stakeholders to have their views captured on the public record prior to the measures being implemented using the made affirmative procedure. The Committee would like to thank everyone who contributed to its inquiries and legislative scrutiny in this session.

## Advisers

19. The predecessor COVID-19 Committee in Session 5 recommended in its legacy report that its successor committee appoint advisers to support its work.<sup>6</sup> In September 2021, the Committee appointed three advisers:
  - Professor Peter Donnelly, Professor of Public Health Medicine and Director of the Sir James Mackenzie Institute for early diagnosis, University of St Andrews
  - Professor Susie Dunachie, National Institute for Health Research Global Research Professor, University of Oxford; and
  - Professor Helen Stagg, Professor of Infectious Disease Epidemiology, London School of Hygiene & Tropical Medicine (formerly a Reader in Infectious Disease Epidemiology, University of Edinburgh).
20. The advisers were appointed to provide their expertise in relation to public health; immunology; and epidemiology respectively. The advisers supported the Committee with oral and written briefings, which informed its scrutiny of policy developments in an ever-changing, and at times fast-moving, policy landscape. In particular, the advisers informed the Committee's scrutiny of the impact of and response to the Omicron variant in December 2021, as well as the Committee's inquiries into excess deaths since the start of the pandemic; public health messaging for people previously on the highest-risk list; and Long COVID. The Committee would like to thank the advisers for the expertise and support they provided.

# Remaining priority issues for COVID recovery

21. The Committee has identified the following priority issues, which would benefit from scrutiny in the remainder of this session:
- Long COVID;
  - NHS dental services;
  - NHS cancer services;
  - Public transport.

## Long COVID

22. The Committee launched an inquiry into the action being taken by the Scottish Government to address Long COVID on 12 January 2023. Following a four-month inquiry, the Committee's report was published on 26 April 2023. The Scottish Government responded to the report on 16 June 2023.

23. The Committee considers that the Scottish Government's actions to improve awareness and recognition, therapy and rehabilitation and study and research of Long COVID should be monitored by the Scottish Parliament for the remainder of Session 6. The Committee draws the Health, Social Care and Sport Committee's attention to the matters highlighted in the Committee's report on Long COVID and the Scottish Government's response. The Committee recommends that the Health, Social Care and Sport Committee should seek to identify opportunities to consider the progress being made on the recommendations set out in the inquiry report for the remainder of this session.

## Recovery of NHS dental services

24. The Committee heard from the British Dental Association Scotland about the impact of the pandemic on NHS dentistry services as part of its baseline health protections measures inquiry on 11 November 2021. This session focused on the need to mitigate against the high-risk of contamination posed by oral healthcare and the production of aerosols in many dental treatments. In particular, the Committee heard about the critical role that ventilation and dental equipment plays in reducing fallow periods between patients being treated.
25. The Committee followed-up this earlier work by launching an inquiry into the recovery of NHS dental services in May 2023. The inquiry examined what action the Scottish Government is taking to return the provision of NHS dental services to pre-pandemic levels of activity, as set out in the NHS Recovery Plan 2021-2026, with a specific focus on:

- Implementation of funding to improve ventilation and other equipment available to practices delivering NHS dental services;
  - The extent to which NHS dental services have recovered to pre-pandemic levels since the NHS Recovery Plan was published; and
  - How access to services is being targeted and monitored in communities that experience health inequalities.
26. At the outset of the inquiry, the Committee wrote to the Scottish Government seeking an update on the current position regarding the recovery of NHS dental services in Scotland. The Committee also wrote to all territorial health boards, seeking further information in relation to NHS dental services within their health board area. SPICe also produced a briefing to support the inquiry entitled *NHS Dental Services in Scotland – Braced for change*.
27. The Committee also conducted a survey of dentists, which was opened on Friday, 5 May 2023 and closed on Wednesday, 31 May 2023. The survey was aimed at dentists delivering NHS General Dental Services, but was open to any dentist working in Scotland. The respondents were asked to provide information about their dental practice, before answering questions about their experience of applying for ventilation and other equipment funding; the impact of the pandemic; staffing and any other issues related to the recovery of NHS services. A summary of responses was produced.
28. The Committee took evidence on the inquiry at its meeting on 15 June 2023; 22 June 2023; and 29 June 2023. The Committee wrote to the Scottish Government on 5 July 2023.
29. The Committee considers that NHS dental services should be prioritised for scrutiny in this session. The Committee recommends that the Health, Social Care and Sport Committee consider the evidence heard during the recovery of NHS dental services inquiry and should seek to identify opportunities to continue to monitor NHS dental services for the remainder of this session.

## Recovery of NHS cancer services

30. The Committee previously considered issues related to the impact of COVID-19 on NHS cancer services as part of its inquiry into excess deaths since the start of the pandemic. It also considered what impact public health messaging during COVID-19 impacted on people's engagement with health services as part of its public health communication inquiry. The Committee notes that the recovery of NHS cancer services is a key priority in the Scottish Government's NHS Recovery Plan and the Scottish Government has since published a 10-year Cancer Strategy for Scotland, with an underpinning three-year Cancer Action Plan for Scotland. The strategy sets out the Scottish Government's long-term vision for cancer services in Scotland.

31. The Committee considers that the recovery of NHS cancer services should be prioritised for scrutiny in this session. The Committee invites the Health, Social Care and Sport Committee to consider the evidence heard during its excess deaths and public health communication inquiries and to monitor the recovery of cancer services and the delivery of the Cancer Strategy for Scotland for the remainder of this session.

## Recovery of public bus transport

32. The pandemic, restrictions on travel and official advice to avoid the use of public transport have had a significant negative impact on bus patronage. UK Department for Transport figures show that bus use outside of London is currently running at approximately 77% of pre-pandemic levels.<sup>7</sup> The associated fall in fare income has resulted in bus operators withdrawing or curtailing an increasing number of services that they deem to be uneconomic.
33. Research into a similar pattern of COVID-related decline in bus patronage and service provision across Wales has found that service reductions have disproportionately affected the most deprived communities in towns and cities.<sup>8</sup>
34. The Transport Research Institute at Edinburgh Napier University has conducted research into the impact of COVID-19 on future public transport use in Scotland, which indicates that such changes in bus patronage may represent a “new normal” for the bus industry, finding that “respondents indicated that they anticipated they would make less use of buses and trains at the end of the pandemic. Over a third expect to use buses (36%) and trains (34%) less, whilst a quarter expect to drive their cars more.”<sup>9</sup>
35. The Confederation of Passenger Transport, the bus industry representative organisation, wrote to the Deputy First Minister prior to the publication of the Scottish Budget 2023-24 highlighting these challenges and asking for additional long-term investment to support and increase bus use across Scotland.<sup>10</sup>
36. The Committee considers that the recovery of public bus transport would benefit from scrutiny in Session 6. The Committee draws this issue to the attention of the Net Zero, Energy and Transport Committee.

- 1 [S6M-00393](#) George Adam: Establishment of Committees.
- 2 [S6M-00393](#) George Adam: Establishment of Committees.
- 3 COVID-19 Recovery Committee. Written submission; Parliamentary Bureau. [PB/S6/23/MINS/20](#).
- 4 Parliamentary Bureau. [PB/S6/23/MINS/21](#).
- 5 [S6M-09720](#) George Adam: Committee Duration.
- 6 COVID-19 Committee, Legacy Report, 8th Report, 2021 (Session 5), p. 8.
- 7 UK Government Department for Transport. (12 April 2023) *Daily domestic transport use by mode: Daily usage of selected domestic transport by mode for Great Britain* .
- 8 Andrew Price, Gary Higgs and Mitch Langford. (8 April 2022) *Deprived areas hit hardest by changes in access to bus services during the pandemic*.
- 9 Lucy Downey, Achille Fonzone, Grigorios Fountas, and Torran Semple. *Transp Res Part A Policy Pract*. 2022 Sep; 163: 338–352.
- 10 [CPT Scotland letter to John Swinney MSP, Deputy First Minister](#). 13 December 2022.

