



House of Commons  
Scottish Affairs Committee

---

# Coronavirus and Scotland: Government Response to the Committee's First and Second Reports

---

**Second Special Report of Session  
2019–21**

*Ordered by the House of Commons  
to be printed 28 January 2021*

## The Scottish Affairs Committee

The Scottish Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Scotland Office (including (i) relations with the Scottish Parliament and (ii) administration and expenditure of the offices of the Advocate General for Scotland (but excluding individual cases and advice given within government by the Advocate General).

### Current membership

[Pete Wishart MP](#) (*Scottish National Party, Perth and North Perthshire*) (Chair)

[Mhairi Black MP](#) (*Scottish National Party, Paisley and Renfrewshire South*)

[Andrew Bowie MP](#) (*Conservative, West Aberdeenshire and Kincardine*)

[Deidre Brock MP](#) (*Scottish National Party, Edinburgh North and Leith*)

[Wendy Chamberlain MP](#) (*Liberal Democrat, North East Fife*)

[Alberto Costa MP](#) (*Conservative, South Leicestershire*)

[Jon Cruddas MP](#) (*Labour, Dagenham and Rainham*)

[Sally-Ann Hart MP](#) (*Conservative, Hastings and Rye*)

[John Lamont MP](#) (*Conservative, Berwickshire, Roxburgh and Selkirk*)

[Douglas Ross MP](#) (*Conservative, Moray*)

[Liz Twist MP](#) (*Labour, Blaydon*)

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No.152. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

© Parliamentary Copyright House of Commons 2021. This publication may be reproduced under the terms of the Open Parliament Licence, which is published at [www.parliament.uk/site-information/copyright-parliament/](http://www.parliament.uk/site-information/copyright-parliament/).

Committee reports are published on the [Committee's website](#) and in print by Order of the House.

### Committee staff

The current staff of the Committee are, Samantha Colebrook (Committee Operations Officer), Deborah Courtney (Committee Operations Manager), Nerys Davies (Committee Specialist), Ed Hamill (Committee Specialist), Simon Horswell (Committee Specialist), Alex Knight (Senior Economist, Scrutiny Unit), Leoni Kurt (Clerk), Zac Mead (Second Clerk), Rebecca Usden (Senior Specialist) and Tim West (Media Officer).

### Contacts

All correspondence should be addressed to the Clerk of the Scottish Affairs Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 8204; the Committee's email address is [scotaffcom@parliament.uk](mailto:scotaffcom@parliament.uk).

You can follow the Committee on Twitter using [@CommonsScotAffs](#)

# Second Special Report

---

The Scottish Affairs Committee published its First Report of Session 2019–21, [Coronavirus and Scotland: Interim Report on Intergovernmental Working](#) (HC 314) on 23 July 2020, and its Second Report of Session 2019–21, [Coronavirus and Scotland](#) (HC 895) on 22 October 2020. The Government’s response was received on 22 December 2020 and is appended to this report.

## Appendix: Government Response

---

### CORONAVIRUS AND SCOTLAND—FINAL REPORT

I would like to thank the Scottish Affairs Committee for their inquiry and report into Coronavirus and Scotland. I would also like to extend my thanks to the Committee for inviting me to give evidence in person.

The inquiry provides an important opportunity to review many aspects of both the UK Government’s and the Scottish Government’s responses to the pandemic and the working relationships between the UK Government and the Devolved Administrations. Across all parts of the United Kingdom, we have been consistently clear that it is vital we work together to meet the challenge of the COVID-19 pandemic and, on behalf of the UK Government, I am pleased to reiterate the importance of the Scottish Government’s close and constructive working with us during this unprecedented time. I hope this will continue as we face the new challenges of distributing the vaccine stocks and testing capabilities the UK Government has secured on behalf of the UK as a whole and we look forward to a future beyond COVID-19.

I have responded to the individual recommendations within the Committee’s final report below:

1. **We agree with Professor Nicola McEwen that trust is an essential ingredient for intergovernmental relations, and it is clear that trust needs to develop between the UK and Scottish Governments. This takes effort from both sides. Holding regular, formal, structured, minuted meetings is an essential part of co-ordinating the response to a pandemic that does not respect borders. All four Governments of the UK need a reliable forum for communicating with other key decision makers to ensure that a co-ordinated, evidence-based response is achieved. The current rising case numbers make the need for such an approach even more vital. Regular meetings can help build on the existing relationships and grow trust between the two Governments. *We build on our previous recommendation in the interim report (paragraph 60) and recommend that a timetable of regular intergovernmental meetings should be set up, both during the rest of this pandemic, especially if there is a second wave, but also for after the pandemic. We need a resilient format to be put in place immediately so that we know there will be regular, formal, planned meetings of key decision makers.* (Paragraph 16 of the final report)**

**Interim report recommendation:**

**(3) We are concerned to hear that Ministerial Implementation Groups (MIGs) and COBRA have ceased to meet in the context of the pandemic. From what we have heard about how communication standards currently stand, decision-makers in devolved nations have come to be consulted in an informal way, rather than via formalised, minuted mechanisms like the JMC. We recommend that the Government outline how it has discussed decisions about the pandemic with decision-makers in devolved nations, and how it has guaranteed that regular communication have been taking place between the four nations, thus far. The Government should explain why MIGs and COBRA have ceased to meet and what consultation there was with the Scottish, and other devolved governments, prior to this decision.** (Paragraph 60 of the interim report)

COVID-19 has shown the value of the collective strength of all parts of the UK working together. People from Aberdeen to Aylesbury and from Belfast to Brecon want to see politicians across all administrations working collaboratively at this time, to tackle the common challenges we all face and protect the health and jobs of citizens—the UK Government recognises this. From our UK test and trace laboratories, to supporting struggling businesses, working together is what we are doing and must remain everyone's priority.

The Government fully understands the importance of strong intergovernmental relations and the role of trust within them, particularly in challenging times such as we have seen throughout the coronavirus pandemic, and continue to see. COVID-19 has shown how the UK Government can work strategically, and at scale, to respond to the pandemic, and to its economic and social impacts, throughout the UK, working together with devolved administrations (DAs). The UK Government has led extensive engagement with the DAs throughout the pandemic, to discuss clinical evidence and share data, and to seek a coordinated approach on policy, communications and messaging, where appropriate. The structures for such Ministerial and official engagement have evolved throughout, to ensure they remain fit for purpose. As set out in the joint UK Government and DAs' statement, published on 25 September, we are committed to working together to protect the health of our citizens, communities, and economies.

Ministerial Implementation Groups were set up by the UK Government in the early phases of the pandemic, to tackle the breadth of policy decisions required at pace. Ministers from the Devolved Administrations were invited to meetings of the Ministerial Implementation Groups as appropriate, providing an opportunity to engage directly with UK Ministers in the development of policy and to reciprocate and share their own thinking and plans, if they chose to do so.

But as the challenge has evolved, so have our structures. The current mechanisms for COVID-19 coordination with the DAs are very clear:

- The Prime Minister and the Chancellor of the Duchy of Lancaster have regular meetings with the DA First Ministers and the Deputy First Minister for Northern Ireland to discuss current thinking and developments. The Chancellor of the Duchy of Lancaster leads overall engagement.

- DA Ministers are invited to attend COBR and the UK Cabinet COVID-19 Operations Committee, where appropriate, on the same basis that they attended the Ministerial Implementation Groups.
- The Secretary of State for Health has weekly meetings with the DA Health Ministers.

It is important to recall that formal committee meetings are not the only way UK Government Ministers interact with SG Ministers. There have been and continue to be regular interactions between lead Ministers in both administrations on matters such as:

- Financial support and business impacts;
- Military assistance;
- Ventilator manufacture; and
- Vaccines.

The Committee has also had evidence, both from the Office of the Secretary of State for Scotland and from the interim CMO for Scotland, on the close liaison between scientific advisers to the UK Government and to the SG. The four UK CMOs have been in regular contact on COVID-19 since January, sometimes meeting several times a week to ensure scientific advice is shared across the UK. SAGE ensures joined-up scientific advice across the UK as its membership includes the CMO and deputy CMO for Scotland, as well as the Chief Scientific Adviser to the Scottish Government.

The Permanent Secretary at the Department for Health and Social Care (DHSC) also has monthly meetings with his counterparts in the DAs. There are numerous other officials' forums for UK Government and DA engagement on matters including the coordination of responses to local outbreaks, test and trace, the provision of PPE, vaccines and immunisation, medicines' supply and therapeutics, and travel into and within the UK.

**2. We welcome the review of intergovernmental working and look forward to seeing the results of the report. We intend to return to this issue later in the Parliament.**  
(Paragraph 17)

The UK Government remains committed to concluding the Intergovernmental Relations (IGR) review, working closely with the DAs to agree a finalised product. In August and September, Ministers from all administrations met to discuss an interim proposal for dispute avoidance and resolution, options for machinery, including a three-tiered structure for engagement across all levels of government. This will replace and build upon the existing Joint Ministerial Committee structures, secretariat arrangements and improve accountability and transparency of IGR. All Ministers endorsed the direction of travel and the ambition to conclude the review at the earliest opportunity, to facilitate better operational join-up between the UK Government and the DAs and to improve policy outcomes for citizens and businesses across the UK. Officials are currently exploring options to finalise a package of reforms, aiming to complete the review as soon as possible. CDL underlined this aim again at the most recent Joint Ministerial Committee (EU Negotiations) meeting on 3 December, and all administrations agreed to continue this work at pace.

The UK Government has also recently announced a number of measures by Written Ministerial Statement in both Houses of Parliament to support transparency, reporting and parliamentary engagement on IGR. This includes the creation of a new [GOV.UK](https://www.gov.uk) page to improve the public accessibility of key documents, including records of formal intergovernmental meetings, the Memorandum of Understanding on Devolution between the UK Government and the devolved administrations, and quarterly reports on all IGR activity. The first report will be published in 2021. This increased transparency will be complemented by regular statements in the UK Parliament by UK Government Ministers on IGR, appropriate appearances before select committees, and a report on IGR activity to be laid annually. This is consistent with the Welsh and Scottish Governments' commitments to their legislatures. This does not preclude any joint reporting that might be agreed as an outcome of the review.

3. **The evidence we received covering the general role of the Office of the Secretary of State for Scotland has been helpful. We look forward to hearing a response to the recommendation in the interim report about the specific role of the Office of the Secretary of State for Scotland during the coronavirus pandemic and what their role could be in the context of similar UK-wide emergencies.** (Paragraph 22)

#### **Interim report recommendations:**

**(7) Evidence heard on the role of the Office of the Secretary of State for Scotland (Scotland Office) echoes the findings of the previous Committee, which found that Scottish and UK Ministerial counterparts preferred to communicate directly, rather than via the Office of the Secretary of State for Scotland. While the Secretary of State and officials at the Scotland Office provided us with accounts of additional engagement with the Scottish Government, there is a continuing risk of the Scotland Office finding itself out the loop on UK-Scotland issues relating to the pandemic.** (Paragraph 71 of interim report)

***(8) The Government must specify and define a clear role for the Office of the Secretary of State for Scotland in the context of COVID-19 and similar UK-wide emergencies. We understand that the Department is committed to being Scotland's voice in Whitehall and has already arranged a series of communications between respective Ministers and officials in the Scottish and UK administrations. In that case, we think there is potential for it to play a formal coordination role in ensuring that relevant ministers in the UK and Scottish Governments are meeting regularly and are invited to all intergovernmental discussions. This may help fill the 'vacuum' in ministerial level communication between the UK and Scottish Governments that has been described to us.*** (Paragraph 72 of interim report)

The final report summarises some of the evidence given by the Secretary of State for Scotland and the Office of the Secretary of State's Director when they attended the evidence session on 17 September 2020.

The Office has long had a clear role in relation to all kinds of emergencies affecting Scotland:

- We advise UK departments on the devolution system and on the Scottish legal system.

- We ensure that Scotland is represented in both planning for and responding to emergencies.
- We represent the views of Scottish stakeholders in the UK Government, and also, as appropriate, the views of the Scottish Government.

A coordinated, ‘four nations’ approach to an emergency that respects the competence of the DAs to make separate decisions in devolved areas, such as public health, requires careful management. The Office is key to that management.

The Office played an instrumental role in ensuring that (a) the Coronavirus Act 2020 covered the whole of the UK with appropriate respect for devolved competence, and (b) that it was possible to secure a Legislative Consent Motion in the Scottish Parliament for the devolved provisions in the Act.

The UK Government can only deliver devolved functions in Scotland if there are appropriate Orders under the Scotland Act 1998 (section 93) passed by both the UK and the Scottish Parliaments. Those orders then enable agency agreements to be drawn up between the two administrations.

To date, around 65% of the testing for COVID-19 carried out in Scotland has been provided and funded by the UK Government. The UK Government’s provision of this essential testing capacity, a devolved function, was made possible by an agency agreement under the Scotland Act.

The Office has also coordinated the secondary legislation for other agency agreements to allow the UK Government to support the response in Scotland. These include the legislation for the agreements (a) to allow the Joint Biosecurity Centre to function in Scotland and (b) to enable the DHSC contact tracing app to operate in Scotland. (The Order in respect of the app was passed by both Parliaments before the Scottish Government announced that it was to adopt a different app.) The Office also advised on the subsequent agreements made in respect of the Joint Biosecurity Centre.

We also provided wide ranging information to HM Treasury on how the UK Government’s macro-economic interventions were working in Scotland, such as the protection of the jobs of over 900,000 Scottish workers through our furlough and self-employed support schemes. The provision of this information was one of the reasons why modifications, such as part time furloughing and a more flexible approach to the Coronavirus Business Interruption Loan Scheme (CBILS), were introduced.

Much of the work of representing the interests and views of Scottish stakeholders, including when appropriate the Scottish Government, is effective because it takes place quietly and behind the scenes. It was underrated by some of the Committee’s academic witnesses, precisely because it is not in the public domain.

4. ***We recommend that the lessons learned from Exercise Cygnus in relation to intergovernmental working, specifically inviting devolved administrations to smaller meetings, are revisited. This should feed into the public inquiry of Covid-19, as committed to by the Prime Minister. A section of this public inquiry should relate to the pandemic in Scotland. This should focus on areas of reserved competence, concentrating on intergovernmental relations and working together***

***in the health sector. It is crucial following the publication of this review that lessons learned are implemented and are assessed annually to ensure that Scotland is prepared for any future pandemics.*** (Paragraph 31)

The report on Exercise Cygnus is available [here](#). Exercise Cygnus identified 22 recommendations (or lessons in the terminology of the report) which were all accepted by the UK Government. For example, lesson 4 recommended that meetings of the four Health Ministers and of the CMOs should be best practice and included as part of the response “battle rhythm”. As discussed above, this is exactly what has happened, and is continuing to happen during the COVID-19 pandemic.

The UK Government has always been clear that there will be opportunities to look back, analyse, and reflect on all aspects of COVID-19. As the Prime Minister has said, this will include an independent inquiry at the appropriate time. For now, the UK Government is focused entirely on responding to the pandemic and saving lives, particularly as the UK is experiencing a second wave of the virus.

The UK Government notes the Scottish Affairs Committee’s recommendation as to the independent inquiry’s eventual terms of reference. It would be premature to respond to the detail of the recommendation at this stage. We will consider the Committee’s views at the right time for decisions as to the inquiry’s terms of reference, and respond further to the Committee in due course.

Preparedness for future public health emergencies in Scotland are primarily devolved matters for the Scottish Government, but the UK Government has consistently sought to work with the DAs on preparing for and responding to public health emergencies as has been shown by, for instance, the response to the H1N1 virus (swine flu) in 2009 and preparations for pandemic influenza following Exercise Cygnus.

5. ***The evidence we have received suggests that the economic support packages provided by both the UK and Scottish Governments have been effective. Nonetheless, we believe that there is a case for conducting a review of the impacts of these packages, ensure they provided value for money and were targeted appropriately, and to see what lessons could be learned for any future similar contingencies. This review should take place by Easter 2021 and implement lessons learned into contingency planning by the end of 2021 at the latest.*** (Paragraph 36)

HM Treasury (HMT) and HM Revenue and Customs (HMRC) have committed to undertaking a detailed evaluation of the Coronavirus Job Retention Scheme (CJRS) and the Self-Employment Income Support Scheme (SEISS). Given the economic and fiscal significance of these unprecedented economic support packages, it is important to understand the implementation, impact and value for money of the schemes, and to build an evidence base for future policymaking and to inform future services.

The CJRS evaluation strategy will be published shortly, and the findings of the CJRS evaluation report will be published by the end of 2021. Self-employment data necessary to carry out a full Self-Employment Income Support Scheme evaluation will not be available until 2022, upon HMRC’s receipt of Self-Assessment returns.

6. ***The Government response to our predecessor Committee’s report on Immigration and Scotland is now more than two years overdue. While we acknowledge the***

*exceptional pressures on the Government in recent years, a delay of this length is wholly unacceptable. The response must now be produced as soon as possible, and in any case no later than the end of 2020.* (Paragraph 39)

The response will be produced in the coming weeks.

7. **The Seasonal Workers Pilot Scheme is vital for the Scottish food sector, the pandemic highlighted that there is not the local take-up for these seasonal roles. We believe that not having enough people to harvest Scottish food puts an important part of the Scottish economy at risk, along with the ability to feed Scottish people and export food. With potential continued restrictions upon immigration as cases rise, the UK Government needs to assess the impact of the “Pick for Britain” scheme moving forward. We agree with the evidence we have heard about increasing numbers for the Seasonal Workers Pilot Scheme and recommend that numbers on this programme be increased by at least 50%.** (Paragraph 43)

We note the findings of the Committee. The UK Government is carefully considering the findings of the Pilot to date and we hope to say more on this in due course.

8. **We acknowledge there are staffing issues for the health and social care sector and that the Migration Advisory Committee did not have enough information when making the decisions about the Shortage Occupation List for Scotland. We welcome the recent development of including senior care workers and nursing assistants to the Shortage Occupation List but do not believe this goes far enough. We recommend that the Migration Advisory Committee include all key health and social care workers on the Shortage Occupation List for Scotland. We also urge the Scottish Government to do more to encourage a larger share of migrants to the UK to live in Scotland.** (Paragraph 49)

The UK Government welcomes the recommendations of the Migration Advisory Committee (MAC) on the Shortage Occupation List (SOL). The Home Secretary wrote to the Chair, Professor Brian Bell, on 22 October 2020 to thank him for the thoughtful and comprehensive report. It is, of course, for the MAC to recommend changes to the SOL based on the evidence. The MAC will be carrying out more regular reviews of the SOL and the UK Government would encourage employers to continue to provide evidence about those roles which they consider to be in shortage in Scotland.

However, the Home Secretary also confirmed that in light of the current and rapidly changing labour market, the UK Government would not be immediately accepting the recommendations. Whilst the UK Government is absolutely not rejecting the recommendations, we will be taking longer to scrutinise the recommendations to ensure our future immigration system approach aligns with the UK labour market. We will consider whether to implement some or all of the recommendations in a set of immigration rules changes in 2021.

The UK Government supports the recommendation that the Scottish Government should do more to encourage those coming to the UK to live and work in Scotland. We would also encourage the Scottish Government to consider what more can be done to encourage more people already resident in the UK to consider living and working in Scotland. The

Scottish Government has control of the necessary levers to encourage investment, to build an educated and skilled workforce, and, by those means, secure Scotland’s economic future.

9. **Scottish exports make a major contribution to the Scottish economy and the risks to those key export sectors ought to be a major concern of both the UK and Scottish Governments. We have heard about the huge reduction in exports throughout the first part of 2020, largely due to the coronavirus pandemic. More could be done to support exports both in the short and long-term.** (Paragraph 63)

The UK Government’s Department for International Trade has launched a UK Trade Hub, based in Edinburgh’s Queen Elizabeth House, to support Scottish businesses. This new Trade Hub will be dedicated to helping businesses in Scotland thrive and grow internationally, providing much-needed support for thousands of companies in these economically challenging times, and helping businesses in Scotland recover from the coronavirus pandemic.

Businesses will be able to utilise the UK Government’s global networks, expertise, and influence, as well as the GREAT campaign and the world-leading credit agency, UK Export Finance (UKEF), to grow their overseas trade and build back from the impact of coronavirus.

One of the UK Government’s key priorities is to champion all parts of the UK and demonstrate how beneficial a strong Union is for all. This Trade Hub in Scotland will provide businesses with the support and guidance needed to boost their profits and harness their full potential.

Trade is crucial to the UK’s recovery from coronavirus and will be the foundation of our relationships across the globe after the transition period ends this year. The UK will be an outward looking advocate for free trade across the globe, capable of developing and agreeing trade deals with the world’s biggest markets, tailored to benefit business in the UK.

We have already agreed the UK-Japan Free Trade Agreement which has secured a way for more iconic UK goods to be protected – increasing geographical indications (GIs) from just seven under the terms of the EU-Japan deal to around 70 under our new agreement. This will not only mean products like Scotch Whisky will enjoy continued protection under the agreement, but also additional products, such as Arbroath Smokies and Stornoway Black Pudding could be protected in Japan from next year. This would allow producers in Scotland to have their products’ unique heritage protected and could lead to improved recognition of key Scottish brands in the Japanese market.

The UK Government is also making strong progress with our negotiations with the USA, Australia, and New Zealand. We are committed to working closely with the DAs to deliver an independent trade policy that works for the whole of the United Kingdom.

We must also not forget that, for Scotland, our biggest market by far remains the rest of the UK and the Internal Market Bill ensures there will be no new barriers to doing trade inside the UK.

10. ***We recommend that when the UK Government plans for future pandemics it considers all three areas—immigration, supply chain and exports—as part of the whole picture. Where responsibility is devolved to Scotland, the UK Government and Scottish Government should work closely together to support these three key areas. These plans should be annually reviewed by the UK Government and have the recommendations implemented as soon as practicable, at least by the end of 2021.*** (Paragraph 64)

The UK Government has long recognised the threat to the UK and other countries posed by global pandemics and has involved the DAs closely in preparing for them

The UK Influenza Preparedness Strategy 2011 is a UK-wide document on influenza pandemics, produced jointly by the then Department of Health, the Scottish Government, the Welsh Government, and the Northern Ireland Department of Health, Social Services and Public Safety. The DAs participated in Exercise Cygnus in 2016 (discussed above) and were an integral part of the consequential pandemic preparedness work. That work prepared the foundations for:

- the Coronavirus Act 2020, passed by the UK Government with the legislative consent of all the devolved legislatures in respect of the devolved provisions, and
- the Coronavirus Action Plan of March 2020, published by the Department of Health and Social Care, the Scottish Government, the Welsh Government, and the Northern Ireland Department of Health.

The Committee recommends that the UK Government and the DAs should plan for mitigating the impact of pandemics on migration, supply chains, and exports. Under the Civil Contingencies Act 2004, section 2, Secretaries of State and others have a duty to plan for the immediate impacts on human life and welfare, the environment, and the security of the UK. In addition, the UK Government does take the consequences for migration, supply chains, and export into account in planning for and responding to emergencies, and works with the DAs, as appropriate, in doing so:

- The UK Government and the DAs require travellers, including migrant workers, to self-isolate for fourteen days after arrival in the UK, unless they are travelling from a country on the specified list of travel corridors or are engaged in exempt work. The Health Protection (Coronavirus) (International Travel) (Scotland) Regulations 2020, made under the Public Health etc (Scotland) Act 2008, are the operative regulations in Scotland. The UK Government has established processes at official and ministerial level to try and secure the maximum alignment between its lists of travel corridors and exempt work for England and the corresponding lists of each of the DAs, while respecting the competence of the DAs in this devolved matter of public health.
- The UK Government also put in place procedures to regularise the positions of foreign nationals working in the UK whose visas have expired but who are unable to return home because of COVID-19. The procedure is known as exceptional assurance.
- Several of the Committee’s witnesses gave evidence about the impact of the pandemic on logistics and transport infrastructure. In order to protect sixteen

vital freight routes into and out of the UK, and between Great Britain and Northern Ireland, the UK Government signed agreements with ferry operators and provided necessary funding to them. These routes included the routes between Cairnryan and Northern Ireland, and the Department for Transport did, of course, consult the Scottish Government about the matter.

- The coronavirus pandemic has demonstrated the importance of resilient supply chains to ensure the continued flow of critical goods and to keep global trade moving.
- The Department for International Trade (DIT) is working closely across UK Government departments and with the DAs to analyse UK supply chains for a range of critical goods, and help define strategies to ensure the UK has resilient and diverse critical supply chains.
- With Office of the Secretary of State for Scotland support, the Department for International Trade has shared early analysis and actions with the Scottish Government and the other DAs.

### **Interim report recommendations**

The Committee's interim report also contained recommendations on various subjects not included in its final report. For completeness, those recommendations and responses to them are outlined below.

***(2) The UK Government has failed to make clear when its messaging applies only to England, causing unnecessary confusion in the devolved nations. There should be messaging clarity to minimise confusion across national boundaries, and this must begin to happen with immediate effect. Then, in its response to the Committee, the Government must outline how it intends to address its failings in messaging, and how it plans to distribute future messages.*** (Paragraph 42 in the interim report)

From the beginning of the pandemic, the UK Government has been in constant contact with the Scottish Government and other DAs at both ministerial and official level, to deliver a joined-up approach on messaging. When the overarching public health campaigns diverged at the time of the introduction of the Stay Alert message, the Office of the Secretary of State for Scotland, and communications officials elsewhere in the UK Government, worked to ensure that associated marketing campaigns did not run into Scotland, fully respecting the Scottish Government's request not to use that new campaign branding in Scotland. It is worth noting the UK Government had allocated considerable budget for its campaigns in Scotland.

In addition to this, the Office of the Secretary of State for Scotland's own media channels have promoted key Scottish Government messages (including the FACTS campaign) and generic public health messages to help avoid any confusion.

Communications officials from the Office of the Secretary of State for Scotland and the Cabinet Office are in regular contact with their counterparts in the Scottish Government, as are officials from other UK departments, such as DHSC. We have worked together to

ensure the right messages are reaching people in all parts of the UK. For example, the Office promoted important opportunities for businesses and individuals such as the ‘Eat Out to Help Out’ campaign.

After a review of audience insight and behaviours, the UK Government agreed with the Scottish Government to expand the ‘Hands, Face, Space’ messaging into Scotland to help promote these vital public health behaviours. This ensures that the simple requests for the public to wash their hands, wear masks, and observe social distancing runs alongside and supports the objectives of the Scottish Government’s FACTS campaign.

In campaigns such as these, we also ensured that promoted links are to the relevant Scottish advice and that NHS Scotland logos are used where appropriate.

### **Scientific advice**

**(9) Communication on a scientific level appears to have been regular and consistent between the four nations. Transparency around SAGE has improved with the publication of its membership and minutes. However, it is unclear whether the advice given by SAGE and the Scottish Government’s COVID-19 Advisory Group to their respective Governments has been the same through-out the pandemic. This may be due to emphasis on different considerations in each area of the UK, including demographic considerations, such as age, and local R rate. It is difficult to assess these concerns due to issues around transparency. (Paragraph 83 in the interim report)**

***(10) We call on the UK and Scottish Governments to provide details of the procedures and processes used by their advisory groups for providing scientific advice. A commitment to transparency around scientific advice would provide the public and Parliament with the means necessary to scrutinise decisions around the pandemic. (Paragraph 84 in the interim report)***

***(11) In addition, we recommend that both the UK and Scottish Governments should consider increasing the number of ‘on the ground’ public health officials in key advisory roles to complement the expertise of academics. (Paragraph 85 in the interim report)***

SAGE actively releases information on gov.uk to meet the ongoing commitment to transparency and openness. This information includes:

- detailed minutes of all SAGE meetings;
- SAGE and Sub-Group participant lists; and
- an extensive range of SAGE endorsed content covering all aspects of COVID-19 and its management.

Through SAGE, the UK Government is able to bring together world-leading scientific advice from across the UK. This includes working with:

- the CMO and deputy CMO for Scotland;
- the Chief Scientific Adviser to the Scottish Government;

- Professor Andrew Morris, chair of the Scottish Government COVID-19 Advisory Group; and
- academics and clinicians from leading Scottish Universities.

In his evidence to the Committee Professor Andrew Morris said:

“We have a principle of reciprocity with SAGE, so we see all their papers and they see our minutes...That notion of reciprocity...has worked very well. Our specific role is to work in partnership with SAGE, but then to provide advice to Scottish Ministers through the CMO on the specific aspects of the science in relation to the context of Scotland.”

The DAs and the UK Government have the same access to all SAGE outputs, including SAGE endorsed papers. The DAs also share expert opinion with SAGE.

Questions about the role of the Scottish Government’s COVID-19 Advisory Group are for Scottish Government Ministers. Brief minutes of the Group’s meetings and other associated papers are published by the Scottish Government.

Public health advice is primarily a matter for the CMOs to provide to Ministers. The SAGE convened for COVID-19 has a strong representation from public health officials as published lists of attendees indicates.

### **Joint Biosecurity Centre (JBC)**

**(12) The concept of the Joint Biosecurity Centre has been broadly welcomed by the witnesses we heard from, particularly the opportunity for the sharing and development of data sets. However, some questions around the role of the Centre remain, particularly how the devolved nations will feed in.** (Paragraph 93 in the interim report)

**(13) *The Government must answer a range of outstanding questions in relation to the Joint Biosecurity Centre, including: the Government’s assessment of the benefits of establishing such a Centre for all four nations, how the devolved administrations will contribute and who in the Scottish Government will be given the opportunity to do so.*** (Paragraph 94 in the interim report)

It is because viruses have no regard for jurisdictional boundaries that the Joint Biosecurity Centre (JBC) was established to operate across the UK - we all need to work together at this time to protect the health and jobs of people across England, Scotland, Wales and Northern Ireland. The JBC aims to provide evidence-based objective analysis, assessment, and advice to inform local and national decision- making in response to COVID-19 outbreaks. The JBC uses the diverse expertise and tradecraft of its staff to analyse both health and non-health data, and to offer a unique perspective on the developing situation with regard to COVID-19.

Since the Committee’s interim report, the UK and Scottish Governments agreed to promote the necessary secondary legislation in both the UK and Scottish Parliaments so that the JBC can carry out functions in Scotland. The legislation has been made under the Scotland Act 1998, and was coordinated by the Office of the Secretary of State for Scotland. The actual agency agreement, which gives legal effect to the political agreement

reached in August, has been signed by the Secretary of State for Health and Social Care and by the three DAs. This agreement sets out the basis on which the DAs participate in the JBC, and an implementation plan is currently being determined and agreed by DHSC and the DAs at official level.

Secondly, a governance structure has been agreed between the Secretary of State for Health and Social Care and DA Health Ministers, with roles for DA Ministers, CMOs, and senior officials:

- an inaugural meeting of the Ministerial Board, comprising Health Ministers from all parts of the UK, was held in November 2020, ensuring the JBC is delivering its objectives as effectively as possible across the UK; and
- the Technical Board continues to meet regularly having been first convened in September; it comprises the four UK CMOs and ensures that JBC products are of sufficient clinical and scientific rigour (for example, agreeing the methodology used to arrive at recommendations on the COVID-19 alert level).

I hope that the Committee will find the UK Government's response to its inquiry on this most important subject useful.

**THE RT HON. ALISTER JACK MP**

**SECRETARY OF STATE FOR SCOTLAND**