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RESTRICTED HANDLING

SCN(21)26th Conclusions

SCOTTISH CABINET

MINUTES OF MEETING HELD IN ST ANDREW'S HOUSE, EDINBURGH
AT 9.30 AM ON TUESDAY, 7 DECEMBER 2021

Present:	Rt Hon Nicola Sturgeon MSP	First Minister
	John Swinney MSP	Deputy First Minister and Cabinet Secretary for Covid Recovery
	Keith Brown MSP	Cabinet Secretary for Justice and Veterans
	Kate Forbes MSP	Cabinet Secretary for Finance and the Economy
	Mairi Gougeon MSP	Cabinet Secretary for Rural Affairs and Islands
	Michael Matheson MSP	Cabinet Secretary for Net Zero, Energy and Transport
	Rt Hon Angus Robertson MSP	Cabinet Secretary for the Constitution, External Affairs and Culture
	Shona Robison MSP	Cabinet Secretary for Social Justice, Housing and Local Government
	Shirley-Anne Somerville MSP	Cabinet Secretary for Education and Skills (*)
	Humza Yousaf MSP	Cabinet Secretary for Health and Social Care
In Attendance:	Leslie Evans	Permanent Secretary
	Name Redacted	Lord Advocate
	George Adam MSP	Minister for Parliamentary Business
	Dr Gregor Smith	Chief Medical Officer (*)
	John-Paul Marks	DG Work and Health Services, Department for Work and Pensions (*)
	Ken Thomson	DG Constitution and External Affairs (*)
	Penelope Cooper	Director of Culture, Major Events and Covid Co-ordination (*)
	James Hynd	Director for Cabinet
	David Rogers	Director, Constitution and Cabinet (*)
	Shirley Rogers	Director, Organisational Readiness (*)
	Dr Colin Troup	Legal Secretary to the Lord Advocate (*)
	Alan Johnston	Deputy Director, Covid Co-ordination (*)
	Amanda Gordon	Deputy Director, Outbreak Management (*)
	Marion McCormack	Deputy Director, Covid Ready Society (*)
	Lisa McGuinness	Permanent Secretary's Principal Private Secretary (*)
	Michelle Rennie	First Minister's Principal Private Secretary
	Liz Sadler	Deputy Director, Covid Ready Society (*)
	Jennie Gollan	Special Adviser (*)
	David Livey	Special Adviser (*)
	Colin McAllister	Special Adviser (*)
	Callum McCaig	Special Adviser (*)
	Stuart Nicolson	Special Adviser (*)
	Chris Mackie	First Minister's Official Spokesperson (*)
	Julie Grant	Assistant Head of News (*)
	Name Redacted	FM Covid Briefing Unit (*)
	Sinéad Power	First Minister's Policy and Delivery Unit (*)
	NR	Unit Head, Covid Status Certification (*)
		Head of Briefing and Evidence, Covid Co-ordination (*)
		Team Leader, Criminal Justice Reform (*)

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8. Seven-day rolling average case numbers had risen since the recent trough of 2,554 on 3 December; they now stood at 2,734 and were expected to rise further. Seven-day cumulative incidence was now 350 per 100,000 population, compared with 327 on 28 November, with an average positivity of 9.1 per cent (which had remained relatively stable).

9. The trend of declining hospital admissions had continued, which was reassuring in the current context, but this was based on new cases which had arisen two to three weeks previously. This downward trend, which was particularly marked among older age groups, was likely to reflect the effect of the booster vaccination programme on limiting severe illness. However, the time lag between infection and hospitalisation meant that the expected effects of the new Omicron variant were not yet apparent in these figures.

10. According to the previous day's data on the Omicron variant, 71 cases had been confirmed formally in Scotland, of which 23 were new cases that day. Analysis of S-gene target failure (which provided a good proxy for the new variant) gave a 'possible' figure of 309, with a substantial rise of 113 over the previous day. The impacts of current delays in data from the Lighthouse laboratory might also be having some impact on the figures. Overall, S-gene dropout now represented some three per cent of isolates in Scotland, with a doubling time of 2.0 to 2.5 days.

11. These figures combined to give an idea of the speed at which the new variant was progressing in Scotland; growth in case numbers was, by its nature, logarithmic in scale, and it would therefore take very little time to rise to substantial totals. The current Reproduction number (R) for Omicron had been calculated at 2.7 for the UK as a whole (with a range of between 2.0 and 3.3). This sort of growth had last been seen in March and April 2020 on the arrival in the UK of the original Wuhan strain, and Omicron appeared to be spreading more rapidly than either the Alpha or Delta variants.

12. Case numbers continued to rise very fast in southern Africa, where Omicron had first been identified, and there appeared to be a far greater number of cases of re-infection than with previous variants. The reason for the speed of increase was likely to be a combination of both increased transmissibility and vaccine evasion, although this was not yet certain. There was also evidence that the variant might be capable of infecting large numbers attending gatherings of people in indoor places – the so-called 'super-spreader' effect. It was also becoming apparent that Omicron had both a high attack rate (especially within households and at public gatherings, such as early Christmas parties) and potentially also a shorter incubation period than earlier variants.

13. In discussion the following points were made:

(a) It would be helpful to know whether recent delays in processing at the Lighthouse Laboratory represented isolated occurrences or whether they might suggest a more systemic problem, perhaps resulting from volume pressures;

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continuity with the current rules: the situation was anything but 'steady state', and the language used must reflect this, so that people would begin to grasp the magnitude of the situation.

22. The First Minister's statement to the Parliament that afternoon would provide a good opportunity to articulate a change in emphasis on the need to work from home wherever possible, even if baseline requirements remained unchanged. If staff had worked from home at the outset of the pandemic, employers should, wherever possible, ensure that they allowed them to do so once more – at least until the next few difficult weeks had passed and the situation became clearer. The public call to work from home would once more need to be backed up by rapid and intense dialogue with business organisations and other stakeholders.

23. Additional points for emphasis in all public messaging would include encouraging people to get tested before going out: this message had already begun to gain some acceptance, but it needed to be driven home. In addition, the public needed to be warned about the increased risks associated with 'super-spreading' events (largely as a result of airborne transmission), which must be understood to encompass almost any gatherings in crowded and/or confined spaces.

24. There had already been a number of instances of 'super-spreading' events leading to very rapid transmission of the Omicron variant, and consideration would need to be given to any further restrictions, especially in the run-up to the festive period.

25. Before taking decisions on which additional protections (including potential changes to the certification scheme) might have the greatest impact in tackling the new variant, there would be merit in taking account of the further indicative information on Omicron which CMO and Public Health Scotland were due to receive later that week. More information would also become available on the extent of community transmission, which would also determine the appropriate response. It would, however, be counter-productive to await full analysis of emerging data about the characteristics of Omicron, which might take some time.

26. Some difficult decisions were likely to be required in the immediate term, which would need to balance the need to remain proportionate against the urgent requirement for preventative action. In all this, it would be important not to introduce any new measures in a piecemeal fashion. All new measures remained in scope, but now was not yet the time to decide on any changes (including to certification).

27. This said, decisions might be required before the next planned meeting of the Cabinet (on 14 December), depending on when sufficient new information on Omicron became available, and Ministers and officials should stand ready to act whenever required. Any decisions would also require further engagement with the Scottish Green Party and across the Parliament, as well as with sectoral representatives, local government, at 'Four Nations' level, and with other stakeholders.

28. In discussion the following points were made: