

Lewis Macdonald
Convenor
Health & Sport Committee

16 November 2020

Dear Lewis

Use of Digital Apps in Response to Covid-19

Thank you for your letter of 04 September, responding to my letter of 06 July and further to your committee meeting of 01 September. Please note that this reply covers the proximity app and the Scotland Act 1998 (Agency Arrangements) (Specification) (Coronavirus) Order 2020 (SSI 2020/776) only ('the Order'). SSI 2020/777, which your letter also refers to, covers the Joint Biosecurity Council.

As I indicated in my letter of 06 July, whilst I felt it prudent to continue with the making and laying of the Order in case it was deemed appropriate for Scotland to adopt the UK app, I also asked my officials to scope out alternatives to utilising the UK app for proximity tracing of anonymous contacts. As you are aware, Scotland elected not to continue with the UK app and instead chose to develop its own proximity app. I informed the Scottish Parliament of this decision on 31 July, and Protect Scotland was ultimately launched on 10 September 2020.

The UK Government subsequently launched their NHS Covid-19 App, in conjunction with the Welsh Government. It is designed only for England and Wales and no Agency Agreement, as allowed for under the Order, was required between the Scottish Government and the UK Government for a single proximity app to be used throughout the UK. As such, the Order has had no impact.

We have, however, published relevant impact assessments for our proximity app, Protect Scotland, and these can be found at <https://protect.scot/transparency>.

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In addition, whilst the Scottish Government elected not to use the UK Government's app, the Committee will be aware that we have been working to ensure that the proximity tracing element of our respective apps are interoperable with each other. We had previously planned to join the 'federated server' being developed by the UK Government but it became apparent in early October that they did not have a plan to deliver this until at least mid-November. A federated server is the mechanism required to ensure that each countries respective apps 'talk' to each other.

Scotland therefore started developing its own federated server at the start of October. On the 28 October, Scotland, England, Northern Ireland, Wales, Jersey and Gibraltar signed an Interoperability Agreement. The same day Northern Ireland (StopCOVID NI) and Jersey (Covid Alert) connected their apps to Scotland's federated server. The Gibraltar app (Beat COVID Gibraltar) connected to the federated server on the 04 November, closely followed by the English and Welsh app (NHS Covid-19 app) on the 05 November.

This means that, thanks to the creation of an NHS Scotland federated server, all UK apps can now 'talk' with each other, along with those of Jersey & Gibraltar. The Protect.Scot website has been updated to explain the benefits of interoperability:

"Protect Scotland works with the equivalent apps in England, Wales, Northern Ireland, Jersey and Gibraltar. The app will continue to operate and exchange codes with anyone you come into close contact with who is using the app from one of those locations. Should an app user in one of these countries who you have been in close contact with test positive for coronavirus, you will be alerted by the Protect Scotland app. There is no need to download another app."

Officials continue to explore options for additional interoperability further afield (e.g. with the European wide 'interoperability gateway service").

Finally, you also asked about the issue of fraud. This is something I take seriously, and I recently (29 October) copied correspondence to all MSPs on tackling scams within Test and Protect. Since the launch of Test and Protect in May 2020, we have taken steps at every stage to ensure people's privacy. This is a key part of building public trust in the system and prevent fraud from affecting members of the public who want to do the right thing in support of Test and Protect. The Protect Scotland app is wholly anonymous and never asks for any personal data. The Protect Scotland website provides extensive details on how app users data is used (for example, see <https://protect.scot/how-we-use-your-data>), and what alerts look like (<https://protect.scot/how-it-works>). The app itself signposts users to <https://www.tsscot.co.uk/contact-tracing-scams/>.

Kind regards

JEANE FREEMAN

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