Annex A

Working with special advisers (SPADs)

1. Freedom of Information requests and special advisers

Special advisers are asked to comment on a high volume of Freedom of Information (FOI) requests on a weekly basis. Requests from journalists, MSPs, MPs, political researchers or other high profile requesters who may use the information requested in the media or parliament should normally be considered by special advisers and ministers.

If in any doubt, please contact the private office direct before sending through a request. [redacted] is the first point of contact on x[redacted].

2. Special advisers FOI mailbox

In order to ensure all cases are monitored and to avoid unnecessary email traffic within the office, we've created a specific FOI mailbox. All FOI requests requiring the attention of special advisers should only be sent to: [redacted]

Please do not send requests to individual special advisers. It is more helpful if you can identify within your submission which special advisers you wish to comment on your proposed draft and then the private office team will allocate accordingly.

3. Timescale for FOI consideration by special advisers

It is important that every effort is made to comply with the statutory timescale of 20 days to respond to FOI requests. Please note you should allow **five working days** for special advisers to consider your draft response. Once special advisers have responded, time should also be allowed for ministerial clearance. If you have an urgent deadline please make [redacted] aware.

Due to the pressure of parliamentary business, special advisers will often have limited capacity to consider FOI submissions in detail on Tuesdays, Wednesdays and Thursdays. The private office can prepare cases for special advisers to view on these days, but it is helpful if you can be aware that they may not be able to comment until either a Monday or Friday.

4. Submitting FOI responses to special advisers

Please ensure the following is provided:

o the FOI case number, the response deadline, the name of the requester and their occupation (if press or political)

o a copy of the original request

o a brief synopsis/submission of the request highlighting any potential sensitivities

o a clear and concise response which complies with the FOI step-by step guide and contains all the necessary facts and figures

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o where appropriate, some context in the response to the information being released. For example, a request for the cost of a particular contract could also provide a narrative about why the money was spent and the benefits accrued as a result

o if media related it is beneficial to provide comms lines to take/handling plan with the collaboration of comms colleagues

o confirmation that FOI unit has been consulted regarding formatting and the exemptions that have been applied

If there is a large volume of material within scope of the request it is helpful if you can highlight specific areas of interest or sensitivity, especially information that has never been released before.

Special advisers will not always have the detailed background knowledge that the policy official dealing with the response will have. Such analysis will help reduce the amount of time that a special adviser will require to consider such a response.

Also, including a schedule which presents which information is being released and that which is not, with the correct exemptions applied and clearly explained, will make the process much swifter and less confusing.

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