

[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 04 December 2017 10:32
To: [Redacted] Deputy First Minister and Cabinet Secretary for Education and Skills; Minister for Further Education, Higher Education and Science
Cc: Minister for Parliamentary Business; Lord Advocate; Solicitor General; DG Education, Communities & Justice; [Redacted]
 [Redacted]
 [Redacted] Communications DFM & Education; [Redacted]
 [Redacted] Lloyd E (Elizabeth); [Redacted]
Subject: RE: Scottish Information Commissioner Decision 196/2017 - FOI/17/01793 - [Redacted]
 [Redacted] - Removal of Glasgow Clyde Board of Management - submission to Ministers - 30 Nov 2017

[Redacted]

Thanks. DFM has noted this and commented that this just makes the case for responding within timescale.

[Redacted]

[Redacted] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [Redacted]
Sent: 30 November 2017 17:51
To: Deputy First Minister and Cabinet Secretary for Education and Skills; Minister for Further Education, Higher Education and Science
Cc: Minister for Parliamentary Business; Lord Advocate; Solicitor General; DG Education, Communities & Justice; [Redacted]
 [Redacted] Communications DFM & Education; [Redacted] Lloyd E (Elizabeth); [Redacted]
Subject: Scottish Information Commissioner Decision 196/2017 - FOI/17/01793 - [Redacted] - Removal of Glasgow Clyde Board of Management - submission to Ministers - 30 Nov 2017

Deputy First Minister and Cabinet Secretary for Education and Skills
Minister for Further Education, Higher Education and Science

Scottish Information Commissioner Decision 196/2017 – FOI/17/01793 – [Redacted] – Removal of Glasgow Clyde Board of Management

Please see attached the submission with regard to the Decision by the Scottish Information Commissioner in this case. The Commissioner found that we had failed to comply with FOISA as

we did not provide a review response within the statutory timescale. No action is required and we do not consider that there is any cause to consider an appeal to the Court of Session.

<< File: Decision 196_2017 - FOI_17_01793 - [REDACTED] - submission to Ministers - 30 Nov 2017.doc >>

<< File: Decision letter (PA).pdf >> << File: Decision 196-2017.pdf >>

Many Thanks

[REDACTED]

[REDACTED]

Freedom of Information Unit

2W

St Andrews House

Regents Road

Edinburgh

EHI 3DG

[REDACTED]

<< OLE Object: Picture (Device Independent Bitmap) >>

2(c)

Communications, Ministerial Support and Facilities Directorate
Ministerial Private Office

T: 0131-244-8000
E: CEU@gov.scot



Our ref: FOI/17/02765
December 2017

Dear [REDACTED]

**REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002
(FOISA)**

Thank you for your request dated 8 November 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

You asked for "all text message sent to and from [REDACTED] phone".

Response to your request

While our aim is to provide information whenever possible, in this instance the Scottish Government does not hold the information you have requested. However, you may wish to contact the Scottish Parliament who may be able to help you.

**Head of Information Governance
Scottish Parliament
Edinburgh
EH99 1SP**

- Telephone: 0131 348 6913
- Fax: 0131 348 5050
- Email foi.officer@parliament.scot

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Director for Communications, Ministerial Support and Facilities, 3W, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or email DirectorCMSF@gov.scot.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Yours sincerely,

A solid black horizontal bar used to redact the signature of the sender.

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[REDACTED]

From: [REDACTED] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 04 December 2017 13:00
To: Minister for Childcare and Early Years; Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: MPO - Text messages - [REDACTED]

[REDACTED]

DFM has cleared this

Thanks

[REDACTED]

[REDACTED] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]

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From: [REDACTED] On Behalf Of Minister for Childcare and Early Years
Sent: 04 December 2017 10:04
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Minister for Childcare and Early Years
Subject: FW: MPO - Text messages - [REDACTED]

[REDACTED]

Grateful if you could confirm if the DFM is content to approve the attached FOI response.

It is due for answer on 7th December and has been cleared by Colin McAllister.

Thanks

[REDACTED]

[REDACTED] | Private Secretary | Minister for Childcare and Early Years
[REDACTED] St Andrews House, Regent Road, Edinburgh, EH1 3DG

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From: [REDACTED] On Behalf Of FoI SpAds PO
Sent: 01 December 2017 15:18
To: Minister for Childcare and Early Years; FoI SpAds PO
Subject: RE: MPO - Text messages - [REDACTED]

[REDACTED]

Colin is content with your proposed response. DFM should clear ahead of it being issued.

[REDACTED]
[REDACTED]
Deputy Private Secretary to the Special Advisers' Office
4N.05
St. Andrew's House

[REDACTED]
[REDACTED]
All e-mails and attachments sent by the Special Advisers' Private Office to another official on behalf of Special Advisers relating to a decision, request or comment made by a Special Adviser, or a note of a meeting with Special Advisers must be filed appropriately by the primary recipient. The Private Office does not keep official reports of such e-mails or attachments.

From: [REDACTED] **On Behalf Of** Minister for Childcare and Early Years
Sent: 29 November 2017 14:32
To: FoI SpAds PO; Higgins K (Kate)
Cc: Minister for Childcare and Early Years
Subject: FW: MPO - Text messages - [REDACTED]

Hi [REDACTED]
Could you confirm if you are content with the attached FOI response? It's due for answer by Thursday 7th December.

Thanks
[REDACTED]

[REDACTED] Private Secretary | Minister for Childcare and Early Years
[REDACTED] St Andrews House, Regent Road, Edinburgh, EH1 3DG

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From: Central Enquiry Unit
Sent: 08 November 2017 11:42
To: Minister for Childcare and Early Years
Subject: MPO - Text messages - [REDACTED]

Good morning,

The email enquiry below was received at the Central Enquiry Unit today.

I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

[REDACTED]
Central Enquiry Unit
[REDACTED]

Reminder: If this email contains a request for information please remember that the Scottish Government is required to respond to all requests for information including e-mails, within 20 working days of receipt in accordance with the Freedom of Information (Scotland) Act. Please refer to the [FOI Guidance](#). All FOI requests received must be registered on the [FOI Tracker](#).

All FOI responses where information is released must be emailed to the [FOI Unit](#) immediately after issue, with 'FOI/EIRs TO PUBLISH' in the subject line

If the request is from a journalist, responses should be issued by the relevant communications team. Please ensure that you involve them throughout the process and also clear your draft response with SPADs and Ministers. Guidance on this is available at Steps 33 and 34 of the [Step-by-Step Guide to Handling FOI/EIRs Requests](#).

 Please consider the environment before printing this e-mail

Glasgow 2018 - Candidate City for the Youth Olympic Games

Be a champion in your life and Back Our Bid [Here](#)




From: [REDACTED] [mailto:[REDACTED]]
Sent: 08 November 2017 11:37
To: Central Enquiry Unit <CEU@gov.scot>
Subject:

Hello,

Can I ask for all text message sent to and from [REDACTED] phone?

Thanks,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] [@gmail.com](mailto:[REDACTED]@gmail.com)



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[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 04 December 2017 17:36
To: [Redacted]
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills; [Redacted]
Subject: FW: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted]

[Redacted]

Thanks

[Redacted]

[Redacted] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [Redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 14 November 2017 08:32
To: [Redacted]
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [Redacted]
Sent: 14 November 2017 08:29
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted]

From: [Redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 14 November 2017 08:25
To: [Redacted] Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [Redacted]

Hi [REDACTED]

I will take this FOI. [REDACTED]

Thanks
[REDACTED]

[REDACTED] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]

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From: [REDACTED]
Sent: 13 November 2017 16:11
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: FW: FOI - MPO - FOI Apex - [REDACTED]

DFM PO – likewise with previous email, can you confirm who is leading on the FOI attached?

Thanks,
[REDACTED]

From: Central Enquiry Unit
Sent: 03 November 2017 16:01
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [REDACTED]
Subject: FOI - MPO - FOI Apex - [REDACTED]

Good afternoon,

The email enquiry below was received at the Central Enquiry Unit today.

I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

[REDACTED]
[REDACTED]
Central Enquiry Unit

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From: [REDACTED] [mailto:[REDACTED]@gmail.com]
Sent: 03 November 2017 15:41
To: Central Enquiry Unit <CEU@gov.scot>
Subject: FOI Apex

Dear Scottish Government,

I am writing to you under the Freedom of Information Act to request the following information. If the information can be provided faster than 20 days, please do so.

Details including correspondence (emails, notes, letters, phone calls or other documents including minutes of meetings) explaining who John Swinney met at the Apex Hotel on 11 May 2016 and why. Also who he met at the Apex Hotel on 12 May 2016 and any reasons listed for the meeting.

Please provide the information by email to [REDACTED]

Feel free to call me on [REDACTED] or email [REDACTED] if you require any clarification about this request.

Best

[REDACTED]

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[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 04 December 2017 18:04
To: [Redacted]
Subject: RE: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted] Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [Redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 04 December 2017 17:36
To: [Redacted]
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills; [Redacted]
Subject: FW: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted]

Thanks

[Redacted]

[Redacted] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [Redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 14 November 2017 08:32
To: [Redacted]
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [Redacted]

[Redacted]

[Redacted] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

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From: [REDACTED]
Sent: 14 November 2017 08:29
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [REDACTED]

From: [REDACTED] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 14 November 2017 08:25
To: [REDACTED] Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI - MPO - FOI Apex - [REDACTED]

Hi [REDACTED]

I will take this FOI. [REDACTED]

Thanks
[REDACTED]

[REDACTED] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]

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From: [REDACTED]
Sent: 13 November 2017 16:11
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: FW: FOI - MPO - FOI Apex - [REDACTED]

DFM PO – likewise with previous email, can you confirm who is leading on the FOI attached?

Thanks,
[REDACTED]

From: Central Enquiry Unit
Sent: 03 November 2017 16:01
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [REDACTED]
Subject: FOI - MPO - FOI Apex - [REDACTED]

Good afternoon,

The email enquiry below was received at the Central Enquiry Unit today.

I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

[REDACTED]

[REDACTED]

Central Enquiry Unit

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From: [REDACTED] [mailto:[REDACTED]@gmail.com]
Sent: 03 November 2017 15:41
To: Central Enquiry Unit <CEU@gov.scot>
Subject: FOI Apex

Dear Scottish Government,

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Please provide the information by email to [REDACTED]@gmail.com.

Feel free to call me on [REDACTED] or email [REDACTED]@gmail.com if you require any clarification about this request.

Best,



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[REDACTED]

From: [REDACTED] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 05 December 2017 14:53
To: [REDACTED] Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [REDACTED]
Subject: RE: EMA - Letter to engage

Hi [REDACTED]

DFM has signed these letters and we'll issue them today

Thanks

[REDACTED]
[REDACTED] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]
[REDACTED]

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From: [REDACTED]
Sent: 28 November 2017 14:24
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [REDACTED]
Subject: EMA - Letter to engage

DFM/PO,

On 7th November, the EMA statistics covering 2015-16 were released.

Since the release of the Stats publication, we have received an FoI on the national promotion campaign of the programme which ran over autumn 2016 from The Times. This was answered on 27/11/2017.

A statement was released by the Minister for Employability and Training on the day of the stats release which stated:

"We'll continue to do our bit to highlight the financial support available, following the national awareness raising campaign that we ran in autumn of last year. The Deputy First Minister will be writing to COSLA to see if there is more we can do together to boost awareness of EMA..."

Attached is the proposed letter to COSLA and the Scottish Funding Council, inviting them to engage with EMA policy officials to identify what more can be done to promote the programme and identify any barriers which may explain the continual decrease in uptake numbers over recent years.

Grateful if you could indicate if you are content with the content of the proposed letter.

Regards,

[Redacted]

[Redacted] NEET Prevention and Intervention | Employability Programme | Scottish
Government | 6th Floor, 5 Atlantic Quay, 150 Broomielaw Glasgow, G2 8LU | [Redacted]
[Redacted]@gov.scot



Developing the Young Workforce – Scotland's Youth Employment strategy.

10

From: [REDACTED] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 06 December 2017 13:35
To: Swinney J (John), MSP <John.Swinney.msp@parliament.scot> (John.Swinney.msp@parliament.scot)
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: FW: MEDIA ENQUIRY: Class sizes - [REDACTED]

DFM,

Are you content to clear these lines now you are back, or should we continue sending to Ms Somerville?

[REDACTED]

The Daily Post has done an extensive FOI on class sizes and received data from almost all local authorities across Scotland (below).

They have asked the following;

- Does the Scottish Government think that large class sizes are appropriate learning environments?
- What impact does teaching classes of these sizes have on pupils and teachers?

Policy colleagues have recommended reissuing the following lines from October;

A Scottish Government spokesperson said:

"In 2010, we legislated to reduce the maximum class size in Primary 1 to 25, its lowest ever level. Since then the number of P1 pupils in a class size of 26 or more has decreased by 90% from 6,896 in 2010 to 698 in 2016.

"We are reforming the education system to close the poverty-related attainment gap and target resources at the children, schools and communities which most need them.

"We are investing £88 million this year so every school has access to the right number of teachers, and securing places for all probationers who want them. Our investment has enabled councils to maintain the pupil-teacher ratio and halted a period of steady decline in teacher recruitment, resulting in 253 more teachers last year - the first substantial increase since 2007."

Background

The small number of pupils in classes of 26 or more is due to a number of legally excepted pupils who have been offered a place outside the normal placing round because of special requirements or moving home.

The Scottish Government is investing an additional £3 million to train additional teachers in 2017/18.

The Scottish Government is supporting universities to meet student teacher targets through our new recruitment campaign and £1 million from the Scottish Attainment Fund to develop new routes into the profession including the development of bespoke Distance Learning courses of Initial Teacher Education to help maintain teacher recruitment in rural areas. We have also

increased student teacher intake targets for the sixth year in a row and are setting targets to train teachers in the subjects where they are needed most.

The next phase of our 'Teaching Makes People' recruitment campaign, launched in August, builds on the success of the previous campaign which helped drive a 19% increase in PGDE student intakes to Scottish universities compared to the previous year. This campaign is a central plank in the Scottish Government's efforts to increase the number of teachers in schools.

Grateful for feedback or permission to go to issue

Thanks



Scottish Government | 3W | St Andrew's House | Regent Road | Edinburgh | EH1 3DG |
@gov.scot |

P1-3 classes with more than 25 pupils (P1) or 30 pupils (P2/3) – some council comments attached beside

P1

- Aberdeen City Council – Ashley Road: 35 in P1Rm1.
- Argyll and Bute Council – Rhu Primary: 26 in P1 single stage.
- Dundee City Council – Mill Of Mains: 27 in P1.
- Dum Gal – Castle Douglas: 32 in P1; Newington: 26 in P1B.
- East Renfrewshire Council – Kirkhill: 39 in P1a; 37 in P1b; 39 in P1c; Giffnock Primary: 32 in P1B; Mearns Primary: 32 in P1.2; 33 in P1.4; Netherlee: 30 in P1C; 28 in P1D.
- Falkirk Council – Carron PS: 30 in P1C.
- Glasgow City Council – Haghill: 28 in P1.
- Midlothian – St David's: 29 in P1 (two teachers present at all times).
- Orkney Islands Council – Stromness PS: 26 in P1 – two composite P1/2 classes that are under limit.
- South Ayrshire Council – Alloway PS: 27 in P1B + 27 in P1M; Holmston: 26 in P1.
- South Lanarkshire Council – Calderwood Primary School: 29 in P1R1; Canberra Primary School: 28 in P1; Crawforddyke Primary School: 32 in P1; Hareleeshill Primary School: 26 in P1; Kirkton Primary School: 27 in P1; Lanark Primary School: 30 in P1M; Our Lady and St Anne's Primary School: 32 in P1; St Charles' Primary School: 31 in P1A; Stonehouse Primary School: 31 in P1.
- Renfrewshire: Todholm: 2x 31 P1 classes; St John Ogilvie: 31 P1a; St Paul's: 30 in P1. "We comply with legislation. Wherever there is a class with more than 25 pupils, there are two teachers."

P2

- Aberdeenshire Council – Rothienorman School: 30 in P1/2.
- Dumfries and Galloway Council – Lincluden: 34 in P2.
- East Dunbartonshire Council – No reply, will chase Wed AM.
- Glasgow City Council – Notre Dame: 31 in P2.
- South Lanarkshire Council – St Charles: 33 in P2; Blackwood: 41 in P2; St Charles': 33 in P2.

P3

- Angus Council – Whitehills: 31 in P3N + P3W. "There is an additional teacher deployed across P3 i.e 3 teachers for 2 classes. Therefore the pupil teacher ratio does not exceed 30 and is actually 1:21. This means we are not exceeding maximum class sizes. The physical class spaces can accommodate more than 31 pupils."
- Dundee City Council – Clepington: 31 in P3B; Victoria Park: 33 in P3.
- East Renfrewshire Council – Busby: 31 in P3; Carolside: 31 in P3a + P3c; Crookfur: 31 in P3B; Mearns: 31 in P3.12; Our Lady of the Missions: 33 in P3b + P3c; 31 in P3d; Thornliebank: 31 in P3.
- Falkirk Council – Carron: 31 in P3M.

- Glasgow City Council – Sandwood: 32 in P3; St Philomena’s: 32 in P3.
- West Lothian Council – Kirknewton: 33 in P3 (two teacher class).

Largest class size(s).

- Aberdeen City Council - Ashley Road: 35 (P1Rm1)
- Aberdeenshire Council – Balmedie: 33 (P6GM); Clerkhill: 33 (P7M+P7P); Gordon: 33 (P6M); Hillside: 33 (P6/7).
- Angus Council – Woodlands: 33 (P5+P6).
- Argyll and Bute Council – Rockfield: 33 (P4); Colgrain: 33 (P4)
- Edinburgh City Council – “the data you have requested is not available at the time of the request. We would normally expect the data to be ready sometime between the end of October and mid-November to allow for queries from the Scottish Government. You are welcome to re-submit a request after this date.”
- Clackmannanshire Council – “We do not collect class size data on Secondary schools so are unable to answer this part of your question. The 2016/17 data will not be available until after this year's census has been run.”
- Dumfries and Galloway Council – Castle Douglas: 32 in P1; Lincluden: 34 in P2; Newington School: 26 in P1B.
- Dundee City Council – 33 pupils in loads
- East Ayrshire Council – Annanhill: 33 pupils in seven classes (although one has two teachers).
- East Dunbartonshire Council
- East Lothian Council – Dunbar: 30 in P2D;
- East Renfrewshire Council – Kirkhill: 39 in P1a; 37 in P1b; 39 in P1c
- Falkirk Council – Ladeside: 34 in P5M
- Fife Council – refused
- Glasgow City Council – Eastbank PS: 34 in P7; 33 in loads, esp Hillhead.
- Highland Council – Not broken down by class.
- Inverclyde Council – Not broken down by class.
- Midlothian Council - Beeslack Community High School: 36 in 6S
- Moray Council – Lhanbryde: 34 P5
- Comhairle nan Eilean Siar (Western Isles Council) – Stornoway: 30 in P6B and P7B
- North Ayrshire Council – St Bridget’s: 38 in P4
- North Lanarkshire Council – refused
- Orkney Islands Council – 23 (multiple)
- Perth & Kinross Council – St John’s: 33 P5R, P6C, P6M
- Renfrewshire Council – Todholm: 2x31 P1 classes
- Scottish Borders Council –
- Shetland Islands Council – refused
- South Ayrshire Council – Dalmillig: 33 P4C; Dundonald: 33 P6; Forehill 3x33.
- South Lanarkshire Council – Burnside 33 in P4r8; Calderwood 33 in P4r9; 33 in Newfield P4; Our Lady of Lourdes 33 in R8P4; St Charles: 33 in P2;
- Stirling Council – Dunblane: 33 P5/SS
- West Dunbartonshire Council – class sizes “We do not hold this information”.
- West Lothian Council – Kirknewton: 34 in P5 (two teacher class). Loads w/ 33.

Politics and Investigations
Reporter

[Redacted]

m
t
@dcthomson.co.uk
www.sundaypost.com



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12

[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 06 December 2017 14:41
To: [Redacted] Minister for Further Education, Higher Education and Science
Cc: News Desk; Communications DFM & Education; News Desk; Communications DFM & Education; [Redacted] Robertson FMG (Fiona); [Redacted] McAllister C (Colin); Ingebrigtsen R (Ross); Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: MEDIA ENQUIRY: Class sizes - [Redacted]

[Redacted]

DFM has cleared this and is content to clear lines from now on

[Redacted]

[Redacted] Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG [Redacted]

[Redacted]

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From: [Redacted]
Sent: 06 December 2017 13:27
To: Minister for Further Education, Higher Education and Science
Cc: News Desk; Communications DFM & Education; News Desk; Communications DFM & Education; [Redacted] Robertson FMG (Flona); [Redacted] Special Adviser; McAllister C (Colin); Ingebrigtsen R (Ross); Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: PO: MEDIA ENQUIRY: Class sizes - [Redacted]

Afternoon PO,

The Daily Post has done an extensive FOI on class sizes and received data from almost all local authorities across Scotland (below).

They have asked the following;

- Does the Scottish Government think that large class sizes are appropriate learning environments?
- What impact does teaching classes of these sizes have on pupils and teachers?

Policy colleagues have recommended reissuing the following lines from October;

A Scottish Government spokesperson said:

"In 2010, we legislated to reduce the maximum class size in Primary 1 to 25, its lowest ever level. Since then the number of P1 pupils in a class size of 26 or more has decreased by 90% from 6,896 in 2010 to 698 in 2016.

"We are reforming the education system to close the poverty-related attainment gap and target resources at the children, schools and communities which most need them.

"We are investing £88 million this year so every school has access to the right number of teachers, and securing places for all probationers who want them. Our investment has enabled councils to maintain the pupil-teacher ratio and halted a period of steady decline in teacher recruitment, resulting in 253 more teachers last year - the first substantial increase since 2007."

Background

The small number of pupils in classes of 26 or more is due to a number of legally excepted pupils who have been offered a place outside the normal placing round because of special requirements or moving home.

The Scottish Government is investing an additional £3 million to train additional teachers in 2017/18.

The Scottish Government is supporting universities to meet student teacher targets through our new recruitment campaign and £1 million from the Scottish Attainment Fund to develop new routes into the profession including the development of bespoke Distance Learning courses of Initial Teacher Education to help maintain teacher recruitment in rural areas. We have also increased student teacher intake targets for the sixth year in a row and are setting targets to train teachers in the subjects where they are needed most.

The next phase of our 'Teaching Makes People' recruitment campaign, launched in August, builds on the success of the previous campaign which helped drive a 19% increase in PGDE student intakes to Scottish universities compared to the previous year. This campaign is a central plank in the Scottish Government's efforts to increase the number of teachers in schools.

Grateful for feedback or permission to go to issue

Thanks



[Redacted]
Scottish Government | 3W | St Andrew's House | Regent Road | Edinburgh | EH1 3DG |
[Redacted]@gov.scot |

P1-3 classes with more than 25 pupils (P1) or 30 pupils (P2/3) – some council comments attached beside

P1

- Aberdeen City Council - Ashley Road: 35 in P1Rm1.
- Argyll and Bute Council – Rhu Primary: 26 in P1 single stage.
- Dundee City Council – Mill Of Mains: 27 in P1.
- Dum Gal – Castle Douglas: 32 in P1; Newington: 26 in P1B.
- East Renfrewshire Council – Kirkhill: 39 in P1a; 37 in P1b; 39 in P1c; Giffnock Primary: 32 in P1B; Mearns Primary: 32 in P1.2; 33 in P1.4; Netherlee: 30 in P1C; 28 in P1D.
- Falkirk Council – Carron PS: 30 in P1C.
- Glasgow City Council – Haghill: 28 in P1.
- Midlothian – St David's: 29 in P1 (two teachers present at all times).
- Orkney Islands Council – Stromness PS: 26 in P1 – two composite P1/2 classes that are under limit.
- South Ayrshire Council – Alloway PS: 27 in P1B + 27 in P1M; Holmston: 26 in P1.

- South Lanarkshire Council – Calderwood Primary School: 29 in P1R1; Canberra Primary School: 28 in P1; Crawforddyke Primary School: 32 in P1; Hareleeshill Primary School: 26 in P1; Kirkton Primary School 27 in P1; Lanark Primary School: 30 in 1M; Our Lady and St Anne's Primary School: 32 in P1; St Charles' Primary School: 31 in P1A; Stonehouse Primary School: 31 in P1.
- Renfrewshire: Todholm: 2x 31 P1 classes; St John Ogilvie: 31 P1a; St Paul's: 30 in P1. "We comply with legislation. Wherever there is a class with more than 25 pupils, there are two teachers."

P2

- Aberdeenshire Council – Rothienorman School: 30 in P1/2.
- Dumfries and Galloway Council – Lincluden: 34 in P2.
- East Dunbartonshire Council – No reply, will chase Wed AM.
- Glasgow City Council – Notre Dame: 31 in P2.
- South Lanarkshire Council – St Charles: 33 in P2; Blackwood: 41 in P2; St Charles': 33 in P2.


P3

- Angus Council – Whitehills: 31 in P3N + P3W. "There is an additional teacher deployed across P3 i.e 3 teachers for 2 classes. Therefore the pupil teacher ratio does not exceed 30 and is actually 1:21. This means we are not exceeding maximum class sizes. The physical class spaces can accommodate more than 31 pupils."
- Dundee City Council – Cleington: 31 in P3B; Victoria Park: 33 in P3.
- East Renfrewshire Council – Busby: 31 in P3; Carolside: 31 in P3a + P3c; Crookfur: 31 in P3B; Mearns: 31 in P3.12; Our Lady of the Missions: 33 in P3b + P3c; 31 in P3d; Thornliebank: 31 in P3.
- Falkirk Council – Carron: 31 in P3M.
- Glasgow City Council – Sandwood: 32 in P3; St Philomena's: 32 in P3.
- West Lothian Council – Kirknewton: 33 in P3 (two teacher class).

Largest class size(s).

- Aberdeen City Council - **Ashley Road: 35 (P1Rm1)**
- Aberdeenshire Council – Balmedie: 33 (P6GM); Clerkhill: 33 (P7M+P7P); Gordon: 33 (P6M); Hillside: 33 (P6/7).
- Angus Council – Woodlands: 33 (P5+P6).
- Argyll and Bute Council – Rockfield: 33 (P4); Colgrain: 33 (P4)
- Edinburgh City Council – "the data you have requested is not available at the time of the request. We would normally expect the data to be ready sometime between the end of October and mid-November to allow for queries from the Scottish Government. You are welcome to re-submit a request after this date."
- Clackmannanshire Council – "We do not collect class size data on Secondary schools so are unable to answer this part of your question. The 2016/17 data will not be available until after this year's census has been run."
- Dumfries and Galloway Council – Castle Douglas: **32 in P1; Lincluden: 34 in P2; Newington School: 26 in P1B.**
- Dundee City Council – 33 pupils in loads
- East Ayrshire Council – Annanhill: 33 pupils in seven classes (although one has two teachers).
- East Dunbartonshire Council
- East Lothian Council – Dunbar: 30 in P2D;
- East Renfrewshire Council – **Kirkhill: 39 in P1a; 37 in P1b; 39 in P1c**
- Falkirk Council – Ladeside: 34 in P5M
- Fife Council – refused
- Glasgow City Council – Eastbank PS: 34 in P7; 33 in loads, esp Hillhead.
- Highland Council – Not broken down by class.
- Inverclyde Council – Not broken down by class.
- Midlothian Council - Beeslack Community High School: 36 in 6S
- Moray Council – Lhanbryde: 34 P5
- Comhairle nan Eilean Siar (Western Isles Council) – Stornoway: 30 in P6B and P7B
- North Ayrshire Council – **St Bridget's: 38 in P4**
- North Lanarkshire Council – refused
- Orkney Islands Council – 23 (multiple)
- Perth & Kinross Council – St John's: 33 P5R, P6C, P6M
- Renfrewshire Council – Todholm: 2x31 P1 classes

- Scottish Borders Council –
- Shetland Islands Council – refused
- South Ayrshire Council – Dalmling: 33 P4C; Dundonald: 33 P6; Forehill 3x33.
- South Lanarkshire Council – Burnside 33 in P4r8; Calderwood 33 in P4r9; 33 in Newfield P4; Our Lady of Lourdes 33 in R8P4; **St Charles: 33 in P2;**
- Stirling Council – Dunblane: 33 P5/SS
- West Dunbartonshire Council – class sizes “We do not hold this information”.
- West Lothian Council – Kirknewton: 34 in P5 (two teacher class). Loads w/ 33.


 Politics and Investigations
 Reporter
 Sunday Post

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From: [redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 07 December 2017 08:51
To: FoI SpAds PO; Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: RE: FOI for clearance - 17/02802 - [redacted] - James Wolffe meeting 3 March 2016
Attachments: FOI response - 1702889 - [redacted].docx

Hi [redacted]

Thanks for clearing the James Wolffe FOI.

I have attached a re-drafted response to the Apex hotel FOI. Grateful if you could confirm if Spads are content for this to also go to DFM for clearance?

Thanks

[redacted] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | T: [redacted]

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From: [redacted] On Behalf Of FoI SpAds PO
Sent: 04 December 2017 18:15
To: Deputy First Minister and Cabinet Secretary for Education and Skills; FoI SpAds PO
Subject: RE: FOI for clearance - 17/02802 - [redacted] - James Wolffe meeting 3 March 2016

Hi [redacted]

With regards to the first FOI (meeting with James Wolffe QC), Colin is content for it to go to DFM for clearance.

With regards to the second (meetings at the Apex), are we correct in assuming that DFM only went there to spend the night? If so, this should be made clear in the response as this has obviously come from DFM's car journey publication. Are you able to forward on a redraft of that?

Many thanks,

[redacted]

[redacted]
Deputy Private Secretary to the Special Advisers' Office
4N.05
St. Andrew's House

[REDACTED]
[REDACTED]

All e-mails and attachments sent by the Special Advisers' Private Office to another official on behalf of Special Advisers relating to a decision, request or comment made by a Special Adviser, or a note of a meeting with Special Advisers must be filed appropriately by the primary recipient. The Private Office does not keep official reports of such e-mails or attachments.

From: [REDACTED] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 29 November 2017 10:51
To: FoI SpAds PO
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills; [REDACTED]
Subject: FOI for clearance - 17/02802 - [REDACTED] - James Wolfe meeting 3 March 2016

[REDACTED]

Apologies, I meant to attach a second FOI response – again another straightforward one.

Thanks

[REDACTED]

[REDACTED] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]

[REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

From: [REDACTED] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education
Sent: 29 November 2017 10:19
To: FoI SpAds PO
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills; Lucas M (Michael)
Subject: FOI for clearance - 17/02802 - [REDACTED] - James Wolfe meeting 3 March 2016

Good morning,

Please find attached FOI request from [REDACTED] and draft response for SpAds consideration and clearance. We conducted a trawl and had no emails, documents, note or briefings as our records do not go that far back. However, officials were able to provide us with the briefing – proposed for release in the response.

FOI Request:

"Details including correspondence (emails, notes, letters, phone calls or other documents including minutes) of John Swinney's meeting with James Wolfe QC on 3 March 2016."

Apologies for the tight turnaround, but it would be helpful to have clearance by cop today to allow me to get clearance from DFM before he travels to India on Friday. It would have been with you sooner but I have been off sick apologies.

Thanks,

[REDACTED]
[REDACTED] Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG [REDACTED]
[REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

Communication and Ministerial Support Directorate



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0131-244-8000

E: CEU@gov.scot

To: Mr [REDACTED]

Email: [REDACTED]@gmail.com

Our reference: FOI/17/02889

December 2017

Dear [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 3 November 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

"Details including correspondence (emails, notes, letters, phone calls or other documents including minutes of meetings) explaining who John Swinney met at the Apex Hotel on 11 May 2016 and why. Also who he met at the Apex Hotel on 12 May 2016 and any reasons listed for the meeting."

Response to your request

While our aim is to provide information whenever possible, in this instance the Scottish Government does not have the information you have asked for because the Deputy First Minister did not have any meetings on either the 11 or 12 May 2016 at the Apex Hotel. The Deputy First Minister stayed overnight at the Apex Hotel on the evening of the 11 May 2016.

This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Director for Communications, Ministerial Support and Facilities, 3W, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or email DirectorCMSF@gov.scot.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Your sincerely,

[Redacted signature]

14

[REDACTED]

From: [REDACTED] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 07 December 2017 17:42
To: [REDACTED] Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Permanent Secretary; DG Education, Communities & Justice; [REDACTED]
Subject: RE: FOI/17/02814 - FOI Response for clearance [REDACTED] - Chief Inspector of Education for Scotland

[REDACTED]

DFM is content for this to issue

[REDACTED]

[REDACTED] | Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [REDACTED]

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From: [REDACTED]
Sent: 04 December 2017 11:26
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Permanent Secretary; DG Education, Communities & Justice; [REDACTED]
Subject: FOI/17/02814 - FOI Response for clearance - [REDACTED] - Chief Inspector of Education for Scotland

Deputy First Minister

Copy:
Permanent Secretary
DG Education, Communities & Justice
Director People
Judith Mackinnon

The DFM will wish to be aware that we received an FOI Request from [REDACTED] a TES Scotland reporter regarding the process and costs associated with the recruitment of the new Chief Inspector of Education for Scotland and Chief Executive of Education Scotland.

A copy of the request and the proposed response is attached. The response is purely factual and it has been agreed with DG Education, Communities & Justice and Colin McAllister for the SpAds. Karen Reid, the current Chief Executive and Gayle Gorman the successful candidate have also been informed.

Could you please let me know **by close on Monday 11 December** if Mr Swinney is content for this to be issued by the Comms Team?

Many thanks

[REDACTED]

<< Message: RE: FOI - ECJ - recruitment process for chief inspector - [REDACTED] >>
<< File: FOI_17_02814 - reply - FINAL - 4 Dec 17.docx >>



[REDACTED]
HR Manager, Senior Staff Team, People Directorate, Scottish Government
E1, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD
Tel: [REDACTED]@gov.scot
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HR Help can help if you can't find what you need on saltire - 0131 244 8500

15

[REDACTED]

From: [REDACTED] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 08 December 2017 10:54
To: [REDACTED]@gmail.com
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: FOI/17/02889 - Response
Attachments: FOI response - 1702889 - [REDACTED].pdf

Dear [REDACTED],

Please find attached response to your Freedom of Information request.

Regards,
[REDACTED]

[REDACTED] Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | E: [REDACTED]@gov.scot

From: [REDACTED], [mailto:[REDACTED]@gmail.com]
Sent: 03 November 2017 15:41
To: Central Enquiry Unit <CEU@gov.scot>
Subject: FOI Apex

Dear Scottish Government,

I am writing to you under the Freedom of Information Act to request the following information. If the information can be provided faster than 20 days, please do so.

Details including correspondence (emails, notes, letters, phone calls or other documents including minutes of meetings) explaining who John Swinney met at the Apex Hotel on 11 May 2016 and why. Also who he met at the Apex Hotel on 12 May 2016 and any reasons listed for the meeting.

Please provide the information by email to [REDACTED]@gmail.com.

Feel free to call me on [REDACTED] or email [REDACTED]@gmail.com if you require any clarification about this request.

Best,
[REDACTED]
[REDACTED]
[REDACTED]

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Communication and Ministerial Support Directorate



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0131-244-8000
E: CEU@gov.scot

To: [REDACTED]
Email: [REDACTED]@gmail.com

Our reference: FOI/17/02889

8 December 2017

Dear [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 3 November 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

"Details including correspondence (emails, notes, letters, phone calls or other documents including minutes of meetings) explaining who John Swinney met at the Apex Hotel on 11 May 2016 and why. Also who he met at the Apex Hotel on 12 May 2016 and any reasons listed for the meeting."

Response to your request

While our aim is to provide information whenever possible, in this instance the Scottish Government does not have the information you have asked for because the Deputy First Minister did not have any meetings on either the 11 or 12 May 2016 at the Apex Hotel. The Deputy First Minister stayed overnight at the Apex Hotel on the evening of the 11 May 2016.

This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.



Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Director for Communications, Ministerial Support and Facilities, 3W, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or email DirectorCMSF@gov.scot.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Your sincerely,

[Redacted signature]

16

From: [redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 08 December 2017 10:51
To: [redacted]@gmail.com
Cc: Deputy First Minister and Cabinet Secretary for Education and Skills
Subject: FOI/17/02802 - Response
Attachments: FOI response - 1702802 - [redacted].pdf

Dear [redacted]

Please find attached response to your Freedom of Information request.

Regards,
[redacted]

[redacted] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | E: DFMCSE@gov.scot

From: [redacted] [mailto:[redacted]@gmail.com]
Sent: 03 November 2017 15:40
To: Central Enquiry Unit <CEU@gov.scot>
Subject: FOI Wolfe

Dear Scottish Government,

I am writing to you under the Freedom of Information Act to request the following information. If the information can be provided faster than 20 days, please do so.

Details including correspondence (emails, notes, letters, phone calls or other documents including minutes) of John Swinney's meeting with James Wolfe on 3 March 2016.

Please provide the information by email to [redacted]@gmail.com.

Feel free to call me on [redacted] or email [redacted]@gmail.com if you require any clarification about this request.

Best,
[redacted]

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Communication and Ministerial Support Directorate



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0131-244-8000
E: CEU@gov.scot

To: [REDACTED]
Email: [REDACTED]@gmail.com

Our reference: FOI/17/02802

8 December 2017

Dear [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 3 November 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

"Details including correspondence (emails, notes, letters, phone calls or other documents including minutes) of John Swinney's meeting with James Wolffe QC on 3 March 2016."

Response to your request

While our aim is to provide information whenever possible, in this instance the Scottish Government does not have some of the information you have requested. The reasons why we do not have the information are explained in Annex A to this letter.

As requested, please find enclosed a copy of the Deputy First Minister's briefing for his meeting with James Wolffe QC, Dean of Faculty of Advocates, on 3 March 2016.

Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Director for Communications, Ministerial Support and Facilities, 3W, St Andrew's House, Regent Road, Edinburgh, EH1 3DG or email DirectorCMSF@gov.scot.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

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<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

Your sincerely,

[Redacted signature]

REASONS FOR NOT PROVIDING INFORMATION

With regards to your request for correspondence (emails, notes, letters, phone calls or minutes) the Scottish Government does not have the information you have asked for because Ministerial Offices routinely destroy records after 3 months, in accordance with our standard records management practice. Furthermore, there was no minute or notes taken at this meeting.

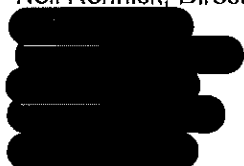
This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

Deputy First Minister's briefing for James Wolffe meeting on 3 March 2016:**Meeting with James Wolffe QC, Dean of Faculty of Advocates**

14:30, 3 March 2016

Key message	Support efforts to improve the societal contribution made by the courts. In particular the contribution to growing the economy
Who	James Wolffe QC, Dean of Faculty of Advocates
What	Informal meeting, principally to listen to the Dean's views and suggestions
Where	Parliament
When	<i>Date</i> Thursday 3 March 2016 <i>Time</i> 14:30 pm
Supporting officials	Private Office indicated no officials required
Briefing and agenda	No formal agenda Annex A: Background on Faculty and biography of Mr Wolffe Annex B: Key lines Annex C: Background issues

Copy to: Cabinet Secretary for Justice
Minister for Community Safety and Legal Affairs
DG Learning and Justice
DG Enterprise, Environment and Innovation
Neil Rennick, Director Justice



John McFarlane, Special Adviser
Communications Safer & Stronger

MEETING WITH JAMES WOLFFE QC

ANNEX A

Background

The Faculty of Advocates is an independent body of lawyers who have been admitted to practise as Advocates before the Courts of Scotland.

The Faculty has been in existence since 1532 when the College of Justice was set up by Act of the Scots Parliament, but its origins are believed to predate that event. It is self-regulating, and the Court delegates to the Faculty the task of preparing Intrants for admission as Advocates. This task involves a process of examination and practical instruction known as devilling, during which Intrants benefit from intensive structured training in the special skills of advocacy. No-one can be presented to the Court as suitable to be a practising Advocate without satisfying these training requirements. The Faculty also provides for its Members an ongoing programme of talks, seminars and conferences covering a wide range of topics. The Faculty's training courses are regarded as among the best in the English speaking world.

The Faculty is led by its Dean, who is elected by the whole membership, supported by the Vice-Dean, Treasurer, Clerk, Keeper of the Library and Chairman of Faculty Services Ltd, all of whom are also elected.

The Faculty includes practising and non-practising members. The current practising Bar includes an increasing proportion of women. Women make up approximately one quarter of the practising membership. Total numbers now stand at just over 460, of whom approximately one fifth are Queen's Counsel. The taking of Silk, as assumption of the title of Queen's Counsel is commonly known, depends upon the prerogative of Her Majesty. This is exercised through the First Minister upon the recommendation of the Lord Justice-General. The Dean of Faculty is consulted in the course of this process. As a general rule, Silk is awarded to experienced Counsel, who are considered to have achieved distinction in full-time practice.

Biography

James Wolffe QC is the Dean of the Faculty of Advocates. Mr Wolffe was called to the Bar in 1992 and took silk in 2007. He was First Standing Junior Counsel to the Scottish Ministers from 2002-2007 and was a High Court prosecutor between 2007 and 2010.

Mr Wolffe has extensive experience in commercial and public law, including judicial review and human rights cases and has appeared in the House of Lords, Judicial Committee of the Privy Council, the UK Supreme Court and the European Court of Human Rights.

He has given evidence to the Scottish Parliament on behalf of the Faculty on law reform issues and recently appeared before a sub-committee of the House of Lords Select Committee on the European Union to voice concerns over a UK opt out from the European Arrest Warrant.

Lines

- The Scottish Government supports efforts by the Court system to make itself a more attractive place to litigate. In particular, a more attractive forum for commercial litigants who often have chosen to litigate in other jurisdictions.
- The development of specialist courts is a welcome one. In January 2015, Lord Gill, the then Lord President, announced a feasibility study into an Energy and Natural Resources Court which would operate as part of the Court of Session. This is a matter for Lord Carloway, who has recently taken up appointment as Lord President. The Scottish Government hopes it is something that can be progressed.
- Court Reform is progressing as planned and we are seeing business diverted away from the Court of Session. For example, the first three months of the new Sheriff Personal Injury Court has seen large numbers of cases go to that court, which would otherwise have gone to the Court of Session. In addition, the raising of the exclusive competence in the sheriff court to £100,000 has also resulted in civil court business which would previously have been heard in the Court of Session being transferred to the sheriff courts. This reform process will relieve pressure on the higher court and therefore release capacity for other business.

To Note: The Faculty were generally in favour of the Court Reform Act. However, they opposed the increase in exclusive competence to £100,000 which they thought was too high. They were concerned that an increase of this magnitude would remove almost all Personal Injury cases from the Court of Session.

Courts reform (Scotland) Act 2014

Judicial specialisation

The policy delivered by the 2014 Act is that there should be greater specialisation in the sheriff courts. In recent years many commentators have advocated the introduction of greater specialisation, particularly in the sheriff court. They have argued that specialisation improves the quality of civil justice and that judges who have no specialist knowledge in particular areas have to be taken through a greater number of legal authorities in the course of a hearing and take longer to issue their decisions. This does not help the parties to get appropriate decisions from the court or indeed the efficiency of the court. Specialisation brings decision-making of higher quality and greater consistency.

The arguments in favour of greater specialisation are as follows.

- The law is becoming more complex and it is unreasonable to expect judges to be able to be expert in all its facets.
- There is greater specialisation among members of the legal profession from whom judges are drawn and it is increasingly difficult for lawyers to offer the same level of expertise across the board – if legal practitioners are no longer generalists, it is unreasonable and impractical to expect judges to have a full breadth of knowledge and experience.
- Specialist judges are more likely to identify key issues in particular cases more quickly so that time is saved in court and a greater level of understanding of the background to the dispute will facilitate an improved quality of justice.
- Greater specialisation will give an opportunity to enhance the reputation of Scotland's civil courts.

The policy is, therefore, to permit the Lord President to designate categories of specialisation. It is more appropriate for the Lord President to do this than Ministers since the Lord President will be able to judge, in consultation with the sheriffs principal, which cases will benefit from specialist judiciary and the demand in the various categories of cases. It is anticipated that the categories of designation may include personal injury, family and commercial. Other areas of specialisation may be desirable depending on the specific circumstances and requirements of particular sheriffdoms.

The Act permits both sheriffs and summary sheriffs to be designated as specialist judiciary. Although it will be some time before there are very many summary sheriffs in post, it is envisaged that eventually summary sheriffs will also be capable of being designated in specialist categories, particularly as they will be recruited from the ranks of practitioners with experience and expertise in the kinds of casework which will form the competence of summary sheriffs.

It will be for the sheriffs principal to allocate casework between the sheriffs and the summary sheriffs within their sheriffdom. The designated judiciary may specialise in more than one category of specialisation. It will, however, still be possible for cases within the designated categories to be dealt with by non-specialist sheriffs as it is inevitable that sometimes a specialist sheriff will not be available in certain locations. Sheriffs who have been designated to deal with one or other of the specialist categories will also still be able to deal with other casework. Specialisation among sheriffs will have specific practical and financial

implications for the SCTS. Specialist courts will have to be accommodated in the timetabling of the courts in a sheriffdom and judicial posts may have to be relocated.

Scottish Co-ordination Group

Plan for Growth – UK Legal Services on the International Stage

A joint plan was published by the UK Trade and Industry and Ministry of Justice in March 2012 which set out ways in which the UK Government could provide opportunities to promote the legal profession internationally with a view to stimulate growth and stability. The plan is being taken forward in Scotland through a Scottish Co-ordination Group which meets around 3 times per year.

The Group brings together representatives of the legal profession, the alternative dispute resolution sector, government, business organisations and the international agencies. The following bodies are currently represented on the group:

- Faculty of Advocates
- Law Society of Scotland
- Office of the Advocate General (UK Government)
- Scottish Arbitration Centre
- Scottish Council for Development & Industry (SCDI)
- Scottish Development International (SDI)
- Scottish Financial Enterprise (SFE)
- Scottish Government Justice Department
- UK Ministry of Justice
- UK Trade & Investment (UKTI)
- VisitScotland

The remit of the group focuses on sharing promotional opportunities such as trade fairs and ensuring that those who attend these events are able to represent and share information on the legal profession in Scotland, and not just their individual interests. A core script is regularly reviewed by the Group and this is used by colleagues in the UK Trade and Industry Department.

There have been notable discussions with the Lord Mayor of London, the former Advocate General Lord Wallace, Simon Hughes, former Ministry of Justice, and Paul Wheelhouse, Minister for Community Safety and Legal Affairs. More recently, the Group met with the new Advocate General, Lord Keen QC, at their meeting in December 2015.

Solicitor advocates and economic issues in the legal profession

Solicitor advocates

Background

A number of issues in relation to solicitor advocates/advocates and QCs have been developing in recent months. Both the Faculty of Advocates and the Law Society of Scotland have raised these matters in writing to Paul Wheelhouse, Minister for Community Safety and Legal Affairs. In summary, these relate to:

- sanction for counsel in the Sheriff court and the standing of solicitor advocates;
- the payment of legal aid fees to solicitor advocates when acting as counsel; and
- instruction of solicitor advocates and issues relating to informed client choice, particularly when in-house solicitor advocates are instructed.

Scottish Ministers interests relate primarily to the way in which the structure of legal aid payments both contributes to some of the tensions, as fees differentiate between solicitor advocates and advocates, and could offer solutions by changing the feeing structure. However, there are many issues which are matters for the courts to manage and the issue around informed client choice is most pertinent at this point.

Most recently, Mr Wheelhouse was pressed to make changes to fees for the new Sheriff Appeal Court (criminal) to make changes to fees available for counsel to include solicitor advocates. Further work would be required to assess the viability of extending this to other aspects of legal aid; there are clear expectations amongst solicitor advocates that this should be done, and a very strong resistance to that from the Faculty of Advocates. Solutions will require very careful navigation around the sensitivities and it would not be helpful to move this forward to a significant degree ahead of the election.

In addition, the courts have issued draft rules on how to ensure that a client is fully informed of choices when instructing counsel to ensure that any potential conflict of interest when proposing in-house solicitor advocates is properly managed. This falls out of a case where a convicted client appealed his conviction on the basis that he considered he did not have satisfactory counsel. Consideration of this case drew out some concerns about the use of in-house solicitor advocates and how the court could be assured of the client making properly informed decisions. The Faculty has significant concerns about the use of in-house solicitor advocates in respect of the commercial advantage it provides and whether decisions are being taken in the best interests of the client. The Law Society resists the Faculty's position.

There are therefore tensions developing between the various interests, and the courts recent views on the appeal case and subsequent action contributes to that. However, the resolution of these issues does not lie primarily or solely with Scottish Government. However, several discussions on the issues have been held with both officials and Mr Wheelhouse, and between SG officials and officials from Lord President's office. Officials will meet again with the Lord President's office in January to discuss next steps as here are a complex set of issues at play. It will require a partnership approach and some compromise between all parties to reach a solution or solutions but it is highly likely to be a contentious subject.

Lines to take

- Aware that representations have been made to the Minister for Community Safety and Legal Affairs, under who's portfolio these issues sit;
- Aware also that initial discussions have been held with all parties;
- Recognise that this a complex issue, and difficult for both solicitor advocates and counsel;

- It will take some time to develop and agree a satisfactory resolution.

Economic issues in the legal profession

Again, the Minister for Community Safety and Legal Affairs has discussed these issues with a range of stakeholders, including with the Dean of Faculty of Advocates.

The Justice Directorate is about to engage in research into the structure of the legal services market. This will look at a range of issues facing the legal profession, including:

- the relationship between the firm size and the type or range of work carried out, including legal aid;
- the contribution of different market segments to the overall value of the legal services sector, including the use of outsourcing;
- measurement of the pressures and problems faced by legal service providers, and their expectations for the future, including growth opportunities; and
- understanding the geography of the legal services market in Scotland, segmented by firm size, area of law and type of client served.

This research will be taken forward in partnership with the Scottish Legal Aid Board and the Law Society of Scotland and will begin early in 2016

Environmental Court

In December 2014 the Lord Advocate advocated the creation of a specialist criminal environmental court within the present court structure.

The Dean wrote to the First Minister on 8 January 2015 outlining his thoughts on “Promoting Scotland as a Centre for Dispute Resolution in Relation to Renewable Energy and Related Matters”. The main thrust of the Dean’s letter was the proposal to establish a specialist court within the Court of Session to deal with energy and environmental issues.

On 28 January 2015, the then Lord President announced his intention to launch a feasibility study into the creation of an Energy and Natural Resources Court in the Court of Session to provide a specialist forum for litigation in these fields. The Faculty, not surprisingly, strongly supported this initiative which is a matter for the Lord President and not the Scottish Ministers.

The SNP made a manifesto commitment to publish an options paper on an environmental court as the basis for a wider engagement. We are working to publish a paper before the dissolution of the Parliament next month. We are committed to working with stakeholders to develop the paper to ensure that we receive contributions for the differing levels and types of environmental cases.

Lines to take:

- The Scottish Government is a strong supporter of environmental justice. It is wholly committed to having appropriate structures to protect our environment and which enable the best decisions to be made around activities that affect it.

- We are undertaking a significant programme of reform which is being co-ordinated across the Government. The landscape is also affected by the ongoing implementation of the amended Environmental Impact Assessment Directive, which is an important tool in supporting effective consideration of environmental issues.
- On initial consideration the Scottish Government can see merit in the Faculty's proposals and can see how this fits into our reform programme, particularly in relation to the policy intent of the Courts Reform Act 2014 to ensure that the Court of Session has the opportunity to adapt and diversify to attract high quality work.
- The Scottish Government shares the Faculty's concerns about high value cases being heard in London which was also identified by Sheriff Principal Taylor in his review on the Costs and Funding of Litigation, and others. Therefore, anything that can look to reverse this trend is of particular interest to the Scottish Government.
- The Dean will be aware of other interests in environmental cases having a specialist forum. There have been proposals from environmental groups for a specialist tribunal especially in relation to planning and building developments and recently the Lord Advocate has spoken about specialist sheriffs and procedures for cases related to environmental crime.
- Section 41 of the Courts Reform (Scotland) Act 2014 allows the Scottish Ministers, with the consent of the Lord President, to provide for all-Scotland sheriff courts for specified types of civil proceedings. This would enable an all-Scotland environmental court to be created to deal with civil environmental matters.
- Sections 34, 35, and 36 of the Courts Reform (Scotland) Act 2014 make it possible for environmental cases to be heard by specialist environmental judges provided that the Lord President designates such cases as a category that is suited to be dealt with by specialist sheriffs or summary sheriffs, and sheriffs principal designate one or more of these judicial office holders as specialists in environmental cases. The net effect is that, if the judiciary uses its powers, it is now possible for environmental cases to be heard by specialist environmental judges in the sheriff court.
- Since the Lisbon Treaty, the EU's power to legislate for the proper functioning of the internal market has led to a growth in measures adopted as part of the "justice for growth" agenda. These cross-border recognition of court judgments (Brussels I (recast)) and European payment procedures (e.g. small claims)
- Membership of the EU provides opportunities for the Scottish legal sector which are only gradually being realised. For example, until last year's ECJ reference by the Scottish Ministers, the SG had not been involved in preliminary references for 10 years. [*Preliminary reference procedure is where a domestic court refers a question of interpretation of EU law to the European Court of Justice in Luxembourg. James Wolffe QC represented the Scottish Ministers.*]
- We are working with the Law Society to consider promotion of these legal developments. Happy to continue to involve the Faculty.
- The Lord President's initiative on an "energy and natural resources court" is at the stage of a feasibility study. That is a matter for the Lord President rather than the Ministers, although in broad terms there would seem to be ministerial support for this.

- In terms of the separate manifesto commitment to publish an options paper on an environmental court, as the basis for a wider engagement a paper will be published before the end of this parliamentary session.

17

[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 08 December 2017 12:35
To: Minister for Childcare and Early Years; Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [Redacted]; Communications DFM & Education
Subject: RE: FOI - MPO - PRESS - Emails; texts; tel [Redacted] - [Redacted]

[Redacted]

DFM has now cleared this

Thanks

[Redacted]

[Redacted] Private Secretary Depute to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]

[Redacted]

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From: [Redacted] On Behalf Of Minister for Childcare and Early Years
Sent: 07 December 2017 15:27
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Minister for Childcare and Early Years, [Redacted]; Communications DFM & Education
Subject: FW: FOI - MPO - PRESS - Emails; texts; tel [Redacted]

[Redacted]

Could you confirm if the DFM is content with the attached FOI response? With apologies for short notice, this response is due tomorrow – Friday 8th December.

The response has been cleared by spads.

<< File: FOI - 1702766.docx >> << Message: RE: COP 7 September - Mercantile Marine Memorial 2017/0026676 >>
<< Message: FW: FOR CLEARANCE - Baby Box Op-Ed >> << Message: FW: updated topical - clean version >> << Message: Letter of Resignation >> << Message: RE: Letter of Resignation >>
For information, the email below is the one that is exempt from release.

<< Message: Minute from [Redacted] Amendments to Care Review Timeline >>
If the DFM is content, I will also inform [Redacted] as a courtesy.

Thanks

[Redacted]

[REDACTED] Private Secretary | Minister for Childcare and Early Years

[REDACTED] St Andrews House, Regent Road, Edinburgh, EH1 3DG

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

From: [REDACTED] On Behalf Of Minister for Childcare and Early Years

Sent: 15 November 2017 17:02

To: [REDACTED]@dailymail.co.uk

Cc: Minister for Childcare and Early Years

Subject: RE: FOI - MPO - PRESS - Emails; texts; tel [REDACTED]

FOISA Acknowledgment of request

Thank you for your request dated 9 November 2017 under the Freedom of Information (Scotland) Act 2002 (FOISA) for all correspondence between [REDACTED] and the First Minister between the start of 2017 and today's date, including emails, text messages and telephone calls.

We received your request on 9 November 2017 and will respond in accordance with FOISA by 8 December 2017.

If you have any queries, please contact me quoting case number Fol/17/02766

[REDACTED] Private Secretary | Minister for Childcare and Early Years

[REDACTED] St Andrews House, Regent Road, Edinburgh, EH1 3DG

From: [REDACTED] [mailto:[REDACTED]@dailymail.co.uk]

Sent: 09 November 2017 17:29

To: Central Enquiry Unit <CEU@gov.scot>

Subject: FOI: [REDACTED]

Dear Sir/Madam,

I am writing to make a request under the FOI Act, as follows:

Please provide all correspondence between [REDACTED] and the First Minister between the start of 2017 and today's date, including emails, text messages and telephone calls.

I am flexible about the format of the response, although my preferred format is email.

I look forward to hearing from you in the near future.

Regards,

[REDACTED]
Political Editor
[REDACTED]

[Redacted]
[Redacted]
[https://twitter.com/\[Redacted\]](https://twitter.com/[Redacted])

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18

[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 11 December 2017 09:22
To: [Redacted] Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Robertson FMG (Fiona); [Redacted] McAllister C (Colin);
Subject: RE: Freedom of Information Request - Free School Meals

Hi [Redacted]

DFM is content to clear the FOI response.

Thanks,
[Redacted]

[Redacted] Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | [Redacted]
E: [Redacted]@gov.scot

All e-mails and attachments sent by a Ministerial Private Office to another official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the primary recipient. Private Offices do not keep official records of such e-mails or attachments.

From: [Redacted]
Sent: 08 December 2017 14:08
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: Robertson FMG (Fiona); [Redacted] McAllister C (Colin); Communications DFM & Education
Subject: Freedom of Information Request - Free School Meals

PS/Deputy First Minister and Cabinet Secretary for Education and Skills

Copy to: As above

I attach a proposed response to a freedom of information request from [Redacted] at the Scottish Parliament. [Redacted] has asked us to provide him with information on the amount of funding provided to local authorities for free school meals for pupils in primaries 1 to 3 in 2017/18. Special Advisers have confirmed they are content this proposed response be sent for ministerial approval.

Grateful if DFM could confirm if he is content with the attached response. The deadline for this case is 4 January 2018.

<< Message: FOI - ECJ - Cost of School meals P1-P3 [Redacted] P >> << File: Fol-17-02931 - response.docx >>

Kind regards

[Redacted] | Scottish Government | Support and Wellbeing Unit | Learning Directorate | Area 2-C North, Victoria Quay, Edinburgh. EH6 6QQ | Tel: [Redacted]

[Redacted]

From: [Redacted] on behalf of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 11 December 2017 09:23
To: [Redacted] Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [Redacted] PS/Education Scotland; Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Minister for Employability and Training; DG Education, Communities & Justice; Robertson FMG (Fiona); Director for Children and Families; Director of Advanced Learning and Science; Communications DFM & Education; McAllister C (Colin); FoI SpAds PO; [Redacted] Communications; PS/Education Scotland; [Redacted]
Subject: RE: FOI 12 02833 for Approval Due 20 December 2017

Hi [Redacted]

DFM is content to clear.

Thanks,
[Redacted]

[Redacted] | Deputy Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education & Skills | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG | T: [Redacted]
 [Redacted] E: [Redacted]@gov.scot

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From: [Redacted]
Sent: 08 December 2017 13:30
To: Deputy First Minister and Cabinet Secretary for Education and Skills
Cc: [Redacted] PS/Education Scotland; Minister for Further Education, Higher Education and Science; Minister for Childcare and Early Years; Minister for Employability and Training; DG Education, Communities & Justice; Robertson FMG (Fiona); Director for Children and Families; Director of Advanced Learning and Science; Communications DFM & Education; McAllister C (Colin); FoI SpAds PO; [Redacted] EdS Communications; PS/Education Scotland; [Redacted]
Subject: FOI 12 02833 for Approval Due 20 December 2017

Dear Minister

Please see the draft FoI response below for [Redacted] regarding the decision to delete inspection information.

I would be grateful if you could review and confirm your approval for these to be released.

The response and enclosure have been reviewed and approved by Colin McAllister.

Fol Request	<< Message: FW: FoI - decision to delete inspection information >>
Draft response	<< File: FOI Request - FOI 17-02833- [REDACTED] response - to SPADs.doc >>
Enclosure for release	. << File: Enclosure FOI - 17-02833 - Ministerial Submission School inspections -final redacted NOT in scope.docx >>

[REDACTED]
Corporate Business Manager
[REDACTED]

People Directorate
People Development

20(a)



The Scottish
Government
Riaghaltas na h-Alba

T: [REDACTED]
E: [REDACTED]@gov.scot

BY EMAIL

[REDACTED]@tesglobal.com

TES Scotland

Fol/17/02814

December 2017

Dear [REDACTED]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 20 November 2017 for information under the Freedom of Information (Scotland) Act 2002 (FOISA).

Request

Your request was as follows:

- Could you tell me how much the government spent on the recruitment process for the new Chief Inspector of Education and Education Scotland Chief Executive and break down the costs incurred – for instance how much was spent on advertising the post? Assessment services?
- I understand headhunting firm Saxton Bampfylde were recruited to help find the right candidate –how much did that cost? What services did they provide for this money?
- How many applications were received for the job?
- How many applicants were interviewed?
- How many rounds of interview did candidates go through? Who carried out the interviews?
- Were there assessments? If so please spell out the nature of the assessments?

Response to your request

The recruitment process to appoint the new Chief Inspector of Education for Scotland and Chief Executive of Education Scotland was chaired by Kevin Woods, a Civil Service Commissioner. In line with the Civil Service Commission Recruitment Principles all selection for appointment to the Civil Service must be made on merit on the basis of fair and open competition and a Commissioner will normally Chair externally advertised roles at Senior Civil Service Director level.

Advertising was arranged by Saxton Bampfylde who were engaged following a tendering process to administer the competition and to conduct executive search which involved contacting a wide range of potential applicants internationally and in the UK. Saxton Bampfylde presented all applications to the Panel on 13 October; conducted individual interviews with longlisted candidates and reported back to the Panel on 24 October; and liaised with the final shortlisted candidates prior to assessment and final interview. The cost of advertising was £3,509 (incl VAT). The final cost of competition administration and executive search was £27,600 (incl VAT).

There were 15 applications and the Panel, chaired by the Civil Service Commissioner, selected 5 candidates for final interview, but one candidate decided to withdraw prior to interview. The remaining 4 candidates were invited to assessment followed by final Panel interviews on 10 November.

Assessment was conducted by The Keil Centre and involved both Staff Engagement Panels and Psychometric Assessment.

Staff Engagement Panels involved:

- Facilitation of Staff Engagement Panel discussions between candidates and staff and subsequent reporting to the Interview Panel. The Staff Engagement Panels were designed to assess the candidates' personal presentational capabilities and ability to engage with staff.

Psychometric assessment involved:

- in-depth discussion with the Director General Education, Communities & Justice about competence requirements for the role and selection of suitable valid assessment methodologies;
- administration of psychometric assessment of candidates on an individual basis supervised by Chartered Occupational Psychologists;
- detailed feedback to both the candidates and the Panel on criteria based personal strengths and recommended areas for exploration at the Panel interview.

The cost of assessment services provided by The Keil Centre was £8,400 (incl VAT).

Your right to request a review

If you are unhappy with this response to your request you may ask us to carry out an internal review by writing to Nicola Richards, Director, People Directorate, Scottish Government, E1 Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD. Your request should explain why you wish a review to be carried out and should be made within 40 working days of receipt of this letter. We will

complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at:
<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

[Redacted signature]