

[REVISED VERSION -- THE CLEARANCE PROCESS]

What is the clearance process?

Clearance is the process of checking that a response to an FOI request or request for review is accurate and of good quality before it is issued. It helps us to achieve consistency and rigour in dealing with them.

Clearance can be given at one of two levels:

- by the relevant Minister
- by a senior official

How do you decide what level of clearance is needed?

As a minimum, every response to a request or a request for review must be cleared by an official of appropriate seniority. This is normally your deputy director, but local arrangements may vary.

In every case, the case handler (or reviewer) should consider whether Ministerial clearance is needed instead. Guidance on how to do this is given below.

When should you seek Ministerial clearance?

The principle is that you should send your response for Ministerial clearance if the information requested is sensitive.

Each individual business area is best placed to decide whether the information it holds is sensitive, which is why the case handler (or reviewer) has to make the decision.

The level of sensitivity will vary from case to case, so you have to make a fresh assessment each time, even if it is similar to one you have dealt with before.

When you are deciding whether the information is sensitive, you should think about the following issues. However, these are only pointers, not a checklist:

- what is the potential impact of disclosure?
- is the information likely to attract Parliamentary or media attention if released?
- if the information is about policy development, what stage has the policy development process reached?

The consideration should be based on the information that is requested, rather than the identity of the requester. Thus, for example, not all requests from journalists, political researchers or MSPs will be for sensitive information, though of course some will.

If you are dealing with a review, you should also consider whether the original response was sent for Ministerial clearance or not. If it was, then that points towards seeking Ministerial clearance for the review response.

Where can you get help if you are not sure if Ministerial clearance is needed?

You should discuss the sensitivity of the information with your managers in the first place. It may help if you think about the reasons why the information might be seen as sensitive (or not sensitive) in preparing for the discussion.

You can also ask the FOI Unit (foi@gov.scot), the Special Advisers' private office (Fol.SpAdsPO@gov.scot) or the relevant Ministerial private office for their views on whether clearance is needed.

How do you obtain clearance?

You must ensure that you have obtained clearance before issuing the response. The process depends on the appropriate level of clearance that is needed, so you should aim to make a decision about this as early as possible -- do not leave it until your response is ready to be issued.

Before you ask for clearance to issue your response, you should make sure that you have followed the guidance on [consulting internally](#).

Commented [GWC1]: link to internal consultation page.

Where Ministerial clearance is needed

The process is as follows:

- initial steps:
 - prepare your draft response and a draft submission to your Minister
 - agree them within your business area
 - ensure that your [Communications Team is aware](#)
 - give your Ministerial private office advance notice that you will be sending a submission
- seek comments from special advisers
- seek clearance from your Minister

Further guidance on each of these steps, and on timescales, is set out below.

Initial steps

You should agree your draft response within your business area, making sure that senior managers are content in accordance with your local arrangements.

You should also prepare and agree a draft submission to the Minister which asks whether they are content to respond to the request or review as set out in your draft response. You should follow the Saltire guidance about [submissions to Ministers](#) and take account of any individual Ministerial preferences.

Your submission should give the Minister the information they need to make their decision, rather than overloading them with unnecessary detail. Here are some examples of what to include in your submission:

- timing issues:

- the statutory deadline for responding to the request
- the time by which you need clearance: make sure you allow enough time (at least a day) to deal with any adjustments to the response that the Minister requires
- relevant background information:
 - what information has been requested -- set out the request and (if necessary) how you have interpreted it
 - what stage is the FOI case at -- request, review or appeal?
- why the information requested is considered to be sensitive (the reasons why Ministerial clearance is being sought)
- what, if any, information you propose to release
- if you do not intend to release some/any information, explain why
- set out any other options for responding, and their implications

The submission should be accompanied by a copy of all the information within scope. Make sure that you clearly identify and separate the information proposed for release and the information which is not to be released because an exemption applies.

Seeking comments from special advisers

Ministers value the views of special advisers, so you should send your draft response and submission to them for comments before you put the submission to the Minister. You should follow the guidance on Saltire about [special advisers and FOI requests](#).

Once special advisers have responded and you have considered their comments, you should put your submission to the Minister.

Putting your submission to your Minister

You should have given your Ministerial private office advance warning that you will be sending a submission seeking clearance. This helps them to ensure that time is found for the Minister to consider it amongst their other commitments.

When sending your submission, remember to take account of Ministerial box closures, especially at weekends or recess, as these can affect the time it takes for your submission to reach the Minister.

~~All Ministerial submissions on FOI requests should be copied to the Minister for Parliamentary Business, as he has portfolio responsibility for FOI.~~

Timescales

You should allow two weeks to obtain Ministerial clearance. Special advisers normally require five working days to comment and Ministers should be given at least three working days to clear the final draft. You will also need to allow some extra time to adjust the draft response if necessary before it is issued.

Obtaining clearance at official level

You should agree your draft response within your business area, making sure that senior managers are content in accordance with your local arrangements. An official of appropriate seniority will be responsible for clearing the final response -- this is normally your deputy director, but local arrangements may vary.

You should allow one week to obtain clearance at official level. The official clearing it should be given at least three working days to do so, and you will also need to allow some extra time to adjust the draft response if necessary before it is issued.

[REVISED VERSION -- HANDLING REQUESTS FOR SENSITIVE INFORMATION]

How do you identify a request for sensitive information?

As part of the clearance process, you have to decide whether or not the information requested is sensitive. If it is, you should seek Ministerial clearance.

Bear in mind that requests for sensitive information may or may not be from the media. As all FOI responses are now published, any request might attract interest from the media or from a particular set of stakeholders.

Involving your Communications Team

If you are handling a request for sensitive information, you should keep your Communications Team fully informed throughout the handling of the request. This is so that the Communications Team:

- can prepare media lines in relation to the response (if necessary)
- can issue the response on your behalf and deal with follow-up enquiries, if the requester is a journalist
- is otherwise aware of the response so that they can respond to the story or deal with follow-up enquiries if the request attracts attention

Preparing media lines

The Communications Team will prepare media lines in conjunction with you and special advisers if necessary. This is imperative if the subject matter of the request is topical or sensitive.

The Communications Team will also arrange for the media lines to be cleared as appropriate. This is a separate process to obtaining clearance for your draft response.

What should the response include?

When preparing a response to a sensitive request, it is often worth including relevant background information to give context to your response.

For instance, if you are providing details of expenditure (e.g. staff costs, corporate systems), you should consider providing comparative data for previous years and refer to the SG's work to deliver efficiency and value for money.

From: [redacted] On Behalf Of Cabinet Secretary for Culture, Tourism and External Affairs

Sent: 22 February 2018 09:57

To: [redacted]

Cc: DL All Scottish Government Ministers; DL Cabinet Secretaries; Directors (SST); Davidson I (Ian) (CUKR); CUKR : Freedom of Information Unit; Lloyd E (Elizabeth); Nicolson S (Stuart) Special Adviser; McFarlane J (John); [redacted]; Corporate Communications; News Desk; Cabinet Secretary for Culture, Tourism and External Affairs

Subject: FW: FOI Performance - Scottish Information Commissioner Intervention

[redacted],

Ms Hyslop has noted the email.

Regards,

[redacted]

Assistant Private Secretary (Correspondence)

Office of Fiona Hyslop, Cabinet Secretary for Culture, Tourism and External Affairs
Scottish Government, Room 2N.15, St Andrew's House, Regent Road, Edinburgh,
EH1 3DG | www.gov.scot

From: [redacted]

Sent: 21 February 2018 15:37

To: Minister for Parliamentary Business; [redacted]

Cc: DL All Scottish Government Ministers; DL Cabinet Secretaries; Executive Team; Directors (SST); Davidson I (Ian) (CUKR); CUKR : Freedom of Information Unit; Lloyd E (Elizabeth); Nicolson S (Stuart) Special Adviser; McFarlane J (John); [redacted]; Corporate Communications; News Desk

Subject: RE: FOI Performance - Scottish Information Commissioner Intervention

PS/Minister for Parliamentary Business

Further to [redacted] minute of 9 February 2018, I can provide a brief update on the Information Commissioner's intervention into issues of FOI culture and practice, following a meeting between the Commissioner and his team and members of the FOI Unit earlier today.

The purpose of today's meeting was to prepare the ground for the assessment phase of the intervention.

As requested by the Commissioner, the FOI Unit provided a demonstration of the FOI Tracker system to aid their understanding of how requests, reviews and appeals are logged and tracked, the system's link to the Objective ERDM system, and a brief overview of the reports that can be provided (for example, by type of requester).

This will inform the Commissioner's approach during the assessment phase of the intervention, both in terms of analysing the handling of specific requests already flagged up by journalists to the Commissioner, and in identifying an appropriate sample of responses from our database for comparison purposes.

In addition, the FOI team provided a brief overview of the guidance available on the internal SharePoint.

The Commissioner has now confirmed some next steps and timings for the assessment phase of his intervention:

- The Commissioner has asked that his team have access to the FOI Unit from **Wednesday 1 March until Friday 9 March** to start extracting case information from the FOI Tracker and Objective ERDM system
- Initially his staff will seek information in relation to specific requests using case reference numbers already provided to the Commissioner by journalists. We do not yet know the cases.
- The Commissioner's team will continue to liaise with the FOI Unit to consider how best to identify a dip sample which allows for a meaningful comparison with those cases
- The intervention will focus on FOI case handling since 2015
- The Commissioner has confirmed that detailed assessment of the handling of individual requests is likely to involve interviews with case handlers, Directors, Special Advisers and Ministers as he considers appropriate. Interviewers would be matched to interviewees by level of seniority.
- The Commissioner anticipates that the assessment phase of the intervention will last two to three months before his team focuses on a formal report, recommendations and any action plan, including his plans for following up on progress in meeting the recommendations. Timescales may change, depending on the amount of cases selected for review.

The Minister is invited to note the update on the assessment phase of the Commissioner's intervention.

Regards,
[redacted]
[redacted]

[redacted] | FOI Unit | Scottish Government
2W St Andrews House | Regent Road | Edinburgh EH1 3DG
Direct Line 0131 244 [redacted] Mobile [redacted]
[redacted]

From: [redacted]

Sent: 09 February 2018 17:37

To: Minister for Parliamentary Business

Cc: DL All Scottish Government Ministers; DL Cabinet Secretaries; Executive Team; Directors (SST); Davidson I (Ian) (CUKR); CUKR : Freedom of Information Unit; Lloyd E (Elizabeth); Nicolson S

(Stuart) Special Adviser; McFarlane J (John); **[redacted]**; Corporate Communications; News Desk
Subject: FOI Performance - Scottish Information Commissioner Intervention

PS/ Minister for Parliamentary Business

I attach a short minute outlining the next phase of the Scottish Information Commissioner's intervention plus, for ease of reference, a copy of the Commissioner's letter of 2 February.

Mr FitzPatrick will note that the minute indicates that on Wednesday, the Commissioner suggested that his office would contact the FOI Unit after 20 February to obtain copies of our FOI policy documents. Despite this, I have just received the attached email, making this request. We will begin pulling this together next week - it is essentially all held on our sharepoint site.

[redacted]
[redacted]

Interviews with Scottish Information Commissioner

Cases for discussion with individual interviewees

Interviewee	Case reference	Requester	Summary of request
John Swinney	FOI/16/02132	James McEnaney, freelance journalist	Names of organisations bidding for SG National Improvement Framework Standardised Assessments; copies of bid documents from chosen supplier.
John Swinney	FOI/17/01247	James McEnaney, freelance journalist	Correspondence between SG and Teach First; included correspondence with Prince Charles.
John Swinney	FOI/17/01769	James McEnaney, freelance journalist	Names and roles of SCS, SpAds and Ministers involved in answering 10 specific FOI requests.
Shona Robison	FOI/16/01545	[redacted], Daily Record	Details of meeting and correspondence between SG and [redacted] (Scottish Professional Football League) re sectarianism etc. <i>NB not clear what Ms Robison's involvement was -- Ms Campbell was the relevant Minister</i>
Shona Robison	FOI/17/00947	[redacted], Herald and Times Group	Copy of reports received by Paul Gray from NHS Chief Executives' Group 2013-2016.
Keith Brown	FOI/17/00406	[redacted], Lib Dems	All correspondence with Scottish Funding Council regarding the Enterprise and Skills Review; dates of all meetings with SFC at which same was discussed.
Keith Brown	FOI/17/00844	[redacted], Sunday Post	Copy of agreement for purchase of Prestwick Airport from Infratil in 2013.
Keith Brown	FOI/17/01567	[redacted], The Guardian	All information from 1 January 2015 re Prestwick Airport or Prestwick Spaceport which names or refers to Donald Trump, Trump Turnberry and the US Government (among others).
Liz Lloyd	FOI/16/00179	[redacted], Scottish Daily Mail	Copy of the letter sent by FM to Hillary Clinton after she lost the US Presidential election in November.
Liz Lloyd	FOI/16/01014	[redacted], BBC	Requests re budget proposals, current budget and inquiry-related expenditure re Scottish Child Abuse Inquiry.
Liz Lloyd	FOI/16/01335	[redacted], The Guardian	Requests in relation to publication of the consultation responses to the consultation carried out by SG on a written constitution for an independent Scotland, prior to the independence referendum.
Liz Lloyd	FOI/16/01414	[redacted] Sputnik News (formerly Russia Today)	Total number of security incidents, not including IT breaches, that have taken place at SG premises since 2006.
Davie Hutchison	FOI/16/00813	[redacted], Labour	Correspondence between SG and senior management/Board of NHS Lothian discussing Treatment Time Guarantee between 1 February and 19 May 2016.
Davie Hutchison	FOI/16/01545	[redacted], Daily Record	Details of meeting and correspondence between SG and [redacted] (Scottish Professional Football League) re sectarianism etc.
Davie Hutchison	FOI/16/02137	[redacted]	List of meetings between Cab Sec for Health and Sport and Chair/Chief Exec NHS Greater Glasgow and Clyde since May 2016 where the Vale Community Maternity Unit was discussed, and all related briefings, minutes etc; all communications between SG and NHS GGC re marketing to promote the Vale Community Maternity Unit.
Davie Hutchison	FOI/17/00171	[redacted], BBC	All correspondence between SG and [redacted] (Forth Ports) re NHS Scotland Productivity; ditto re role on Cab Sec's 2020 Vision Advisory Board.

Interviews with Scottish Information Commissioner

Cases for discussion with individual interviewees

Interviewee	Case reference	Requester	Summary of request
Colin McAllister	FOI/15/02007	[redacted], Labour	Information about attendees, agenda, minutes and briefing re meetings between Alex Salmond and [redacted] on 27 July and 21 October 2013, and 6 March 2014.
Colin McAllister	FOI/16/01335	[redacted], The Guardian	Requests in relation to publication of the consultation responses to the consultation carried out by SG on a written constitution for an independent Scotland, prior to the independence referendum.
Colin McAllister	FOI/17/01547	[redacted], BBC	Copies of all emails sent and received by Colin McAllister, Liz Lloyd, Kate Higgins, Davie Hutchison and Stewart Maxwell clearing FOI requests made by journalists to SG between 1 January and 30 June 2017.
Colin McAllister	FOI/17/02107	James McEnaney, freelance journalist	Communications between SG and Scottish universities re Teach First.
Stewart Maxwell	FOI/16/02147	[redacted], Lib Dems	Correspondence with HIE about Enterprise and Skills review; minutes of meetings and correspondence between SG and HIE Board re the review.
Stewart Maxwell	FOI/17/00406	[redacted], Lib Dems	All correspondence with SFC [<i>Scottish Funding Council?</i>] regarding the Enterprise and Skills Review; dates of all meetings with SFC at which same was discussed.
[redacted]	FOI/16/00432	[redacted], The Herald	All information held since 1 January 2013 by the Office of the Chief Economic Adviser re potential creation of a Scottish Monetary Authority.
[redacted]	FOI/16/01736	[redacted], The Herald	All information between SG, Sinofortune China Railway Group Ltd, China Railway No 3 Engineering Group and [redacted] since 10 April 2016; all information between SpAds, Ministers and officials re MoU.
[redacted]	FOI/17/00171	[redacted], BBC	All correspondence between SG and [redacted] (Forth Ports) re NHS Scotland Productivity; ditto re role on Cab Sec's 2020 Vision Advisory Board.
[redacted]	FOI/15/02007	[redacted], Labour	Information about attendees, agenda, minutes and briefing re meetings between Alex Salmond and [redacted] on 27 July and 21 October 2013, and 6 March 2014.
[redacted]	FOI/16/02137	[redacted]	List of meetings between Cab Sec for Health and Sport and Chair/Chief Exec NHS Greater Glasgow and Clyde since May 2016 where the Vale Community Maternity Unit was discussed, and all related briefings, minutes etc; all communications between SG and NHS GGC re marketing to promote the Vale Community Maternity Unit.

From: [redacted]
Sent: 07 June 2018 14:15
To: [redacted]; [redacted]; Davidson I (Ian) (CUKR) <Ian.Davidson2@gov.scot>; [redacted]; [redacted]; Booth J (John) <John.Booth@gov.scot>; [redacted]
Cc: Rogers DA (David) (Strategy and Constitution Director) <David.Rogers@gov.scot>; [redacted]; [redacted]; [redacted]
Subject: RE: OSIC report - handling plan

[redacted]

On the point about [redacted]

[redacted]

From: [redacted]
Sent: 07 June 2018 14:05
To: [redacted]; [redacted]; Davidson I (Ian) (CUKR); [redacted]; [redacted]; Booth J (John); [redacted]
Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]
Subject: RE: OSIC report - handling plan

The figure for 2017 on general enquiries through the Newsdesk was 5366.

[redacted]
First Minister's Official Spokesperson
St Andrews House
Edinburgh
Tel: 0131 244 [redacted]

From: [redacted]
Sent: 07 June 2018 14:02
To: [redacted]; Davidson I (Ian) (CUKR); [redacted]; [redacted]; Booth J (John); [redacted]
Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; [redacted]
Subject: RE: OSIC report - handling plan

I've just discussed with John. Two things:

[redacted]

[redacted]

[redacted] - | 0131 244 [redacted] | [redacted]

From: [redacted]
Sent: 07 June 2018 13:35
To: Davidson I (Ian) (CUKR); [redacted]; [redacted]; Booth J (John); [redacted]
Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; [redacted]; [redacted]
Subject: RE: OSIC report - handling plan

Ian

[redacted]

[redacted]

From: Davidson I (Ian) (CUKR)

Sent: 07 June 2018 13:31

To: [redacted]; [redacted]; Booth J (John); [redacted]; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

[redacted]

Ian

Sent with BlackBerry Work

(www.blackberry.com)

From: [redacted]

Date: Thursday, 07 Jun 2018, 1:04 pm

To: [redacted], Booth J (John) <John.Booth@gov.scot>, Davidson I (Ian) (CUKR) <Ian.Davidson2@gov.scot>, [redacted], [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director) <David.Rogers@gov.scot>, [redacted], [redacted], [redacted], [redacted]

Subject: RE: OSIC report - handling plan

All,

Please see the below draft comms handling plan for your thoughts/comment, **ideally by 4pm today, please**, so I can share a final version with the Permanent Secretary and Mr Fitzpatrick by close of play and get on with pulling together proactive materials we need to publish.

Many thanks,

[redacted].

[redacted]

Senior Communications Manager | Corporate Communications | 0131 244 [redacted]

| [redacted]

Scottish Government | www.gov.scot | [Twitter](#) | [Facebook](#)

(I work Mon-Thurs)

SCOTTISH INFORMATION COMMISSIONER REPORT – COMMUNICATIONS HANDLING PLAN

[redacted]

From: [redacted]

Sent: 06 June 2018 07:32

To: Booth J (John); Davidson I (Ian) (CUKR); [redacted]; [redacted]; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

John

[redacted]

[redacted]

From: Booth J (John)

Sent: 06 June 2018 07:03

To: [redacted]; Davidson I (Ian) (CUKR); [redacted]; [redacted]; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

[redacted]

[redacted]

John

John Booth
Head of Communications
Scottish Government

@johnbooth224
[redacted]

Find out more: [SG Communications Plan](#)

From: Booth J (John)

Sent: 05 June 2018 17:14

To: [redacted]; Davidson I (Ian) (CUKR); [redacted]; [redacted]; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

Thanks [redacted]. Could you keep [redacted] copied in please.

John

John Booth
Head of Communications
Scottish Government

@johnbooth224
[redacted]

Find out more: [SG Communications Plan](#)

From: [redacted]

Sent: 05 June 2018 16:51

To: Davidson I (Ian) (CUKR); [redacted]; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; Booth J (John); [redacted]

Subject: OSIC report - handling plan

My first stab at a handling plan following our meeting this morning.

Grateful for any comments/suggestions, including from copy recipients.

[redacted]

From: [redacted]

Sent: 07 June 2018 16:16

To: [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR)

<Ian.Davidson2@gov.scot>; Booth J (John) <John.Booth@gov.scot>; [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director) <David.Rogers@gov.scot>; [redacted];

[redacted]; [redacted]

Subject: RE: OSIC report - handling plan

[redacted]

We'll certainly keep you posted on timings.

[redacted]

From: [redacted]

Sent: 07 June 2018 16:15

To: [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John);

[redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

[redacted]

Looks fine to me.

The Commissioner's office has just indicated to me in the last few minutes that publication is now expected to be Wednesday 13 June.

[redacted]

From: [redacted]

Sent: 07 June 2018 16:06

To: [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John);

[redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

Thanks all. Below tweaks reflect your comments.

Can you please keep me posted on timings so we can revise our tactics accordingly?

Grateful for final comments by 5pm, please.

[redacted]

From: [redacted]

Sent: 07 June 2018 14:47

To: [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); [redacted]; Booth J (John);

[redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

I have made one suggestion (in green text) relating to response rates. [redacted]

[redacted]

From: [redacted]

Sent: 07 June 2018 14:23

To: [redacted]; [redacted]; Davidson I (Ian) (CUKR); [redacted]; [redacted]; Booth J (John); [redacted]

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]

Subject: RE: OSIC report - handling plan

Some comments

[redacted]

Other comments marked up in red in the text below.

[redacted]

Private Secretary

Special Advisers' Office

Tel 0131 244 [redacted]

Mobile [redacted]

From: [redacted] On Behalf Of Minister for Parliamentary Business

Sent: 11 June 2018 09:54

To: Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Minister for Parliamentary Business <MinisterPB@gov.scot>; [redacted]; Permanent Secretary <PermanentSecretary@gov.scot>

Cc: Rogers DA (David) (Strategy and Constitution Director) <David.Rogers@gov.scot>; [redacted]; [redacted]; [redacted]; Communications Economy <CommunicationsEconomy@gov.scot>; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR) <Ian.Davidson2@gov.scot>; Booth J (John) <John.Booth@gov.scot>; [redacted]; DG Constitution and External Affairs <dgcea@gov.scot>

Subject: RE: OSIC report - handling plan

[redacted]

Mr FitzPatrick is going to do [redacted], have attached.

thanks

[redacted]

From: Lloyd E (Elizabeth)

Sent: 11 June 2018 09:51

To: Minister for Parliamentary Business; [redacted]; Permanent Secretary

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: RE: OSIC report - handling plan

Thanks - is Mr F or Perm Sec updating at cabinet?

From: [redacted] On Behalf Of Minister for Parliamentary Business

Sent: 11 June 2018 09:48

To: [redacted]; Minister for Parliamentary Business; Permanent Secretary

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs; Lloyd E (Elizabeth)

Subject: RE: OSIC report - handling plan

[redacted]

Thanks, adding in Liz to the copy list.

[redacted]

[redacted] | Private Secretary to Minister for Parliamentary Business | T4.21, Scottish Parliament | 0131 244 [redacted] | [redacted]

All e-mails and attachments sent by a Ministerial Private Office to any other 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.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

From: [redacted]

Sent: 11 June 2018 09:44

To: Minister for Parliamentary Business; Permanent Secretary

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: RE: OSIC report - handling plan

Many thanks.

Please see the below extract from the Permanent Secretary's weekly blog, which is published on Saltire every Monday and will be posted shortly.

This has been cleared by the Permanent Secretary and the OSIC have confirmed they're happy with this approach.

Information Commissioner's Review

As you know, we have been cooperating fully with the Scottish Information Commissioner's review into our approach to handling Freedom of Information (FOI) requests. We expect the Commissioner's report this week which will offer valuable feedback to support our continued improvement. The way we handle FOI requests is not simply administrative, it speaks to the wider values and integrity of our organisation and affects the relationship and trust we hold with the public and civic society. Over the past year, you have contributed to a significant improvement in our FOI performance and I ask each of you to consider what more you can do to deepen and demonstrate our commitment to openness and transparency. More to follow on this.

Thanks,

[redacted]

From: [redacted] On Behalf Of Minister for Parliamentary Business

Sent: 11 June 2018 08:28

To: [redacted]; Permanent Secretary; Minister for Parliamentary Business

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: RE: OSIC report - handling plan

[redacted]

Mr FitzPatrick is content, he has asked for sight of the blogs referenced before they are issued.

thanks

[redacted]

[redacted] | Private Secretary to Minister for Parliamentary Business | T4.21, Scottish Parliament | 0131 244 [redacted] | [redacted]

All e-mails and attachments sent by a Ministerial Private Office to any other 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.

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From: [redacted]

Sent: 07 June 2018 18:29

To: Permanent Secretary; Minister for Parliamentary Business

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: RE: OSIC report - handling plan

With apologies once again, please see the correct document now attached for clearance by the Minister and Perm Sec.

[redacted]

From: [redacted]

Sent: 07 June 2018 18:21

To: Permanent Secretary; Minister for Parliamentary Business

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: RE: OSIC report - handling plan

Apologies – please disregard my previous email. Correct attachment to follow.

From: [redacted]

Sent: 07 June 2018 18:00

To: Permanent Secretary; Minister for Parliamentary Business

Cc: Rogers DA (David) (Strategy and Constitution Director); [redacted]; [redacted]; [redacted]; Communications Economy; [redacted]; [redacted]; [redacted]; [redacted]; [redacted]; Davidson I (Ian) (CUKR); Booth J (John); [redacted]; [redacted]; [redacted]; DG Constitution and External Affairs

Subject: OSIC report - handling plan

P/S Minister for Parliamentary Business
Permanent Secretary

Please find attached a communications handling plan around the expected publication next week of an intervention report from the Scottish Information Commissioner.

This has been agreed with communications (news and corporate), FOI unit and Spad colleagues. I would be grateful for your approval of the approach it sets out.

Thanks,

[redacted]

[redacted]

Senior Communications Manager | Corporate Communications | 0131 244 **[redacted]**
| **[redacted]**

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(I work Mon-Thurs)