

[REDACTED]

From: Information_Tracker@scotland.gsi.gov.uk
Sent: 26 September 2018 05:01
To: [REDACTED]
Cc: [REDACTED]
Subject: Information Request Tracker - 10 Day Reminder
Attachments: qA815432.obr

INFORMATION REQUEST TRACKER

10 DAY REMINDER

Reference number: [Fol/18/02467](#) (click to open case on Tracker)

Deadline for responding to your request: **10/10/2018 (10 days to go)**

Requester: [REDACTED]

Information requested: Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018.

WHAT TO DO NEXT

There are now only 10 days left before your FoI response is due. In most cases by now, you should normally have completed a [draft response](#) to this request, using the relevant template(s) provided in the [step-by-step guide to requests](#). If you have checked the [guidance](#) and are still having difficulties with how to respond, you can seek advice from the FOI Unit by e-mailing foi@scotland.gsi.gov.uk.

The next step, if required, is to seek comments and/or clearance on your draft response. See step 29 onwards of the [step-by-step guide](#).

If you haven't drafted a response yet, you should aim to do so as **soon as possible**, particularly if your response will require comments from special advisers, Communications or other interested colleagues, and/or clearance from senior managers and Ministers.

Once the response has been issued to the requester, please ensure you:

- Save the response in the Objective casefile for this case (which can be accessed by opening the attached Objective file) along with any associated correspondence or information; and
- Update the Tracker by opening up the case and changing the Status field to Responded. Guidance on closing a case on the Tracker is available [here](#).

If you know that you won't be able to send a response out before the deadline, you should issue a holding response to the requester as soon as possible – see step 35 of [the step-by-step guide](#) for holding response templates. However, be aware that the requester will still be entitled to ask for a review of our failure to respond as soon as the deadline has been missed.

[REDACTED]

From: [REDACTED] on behalf of Fol SpAds PO
Sent: 27 September 2018 17:45
To: [REDACTED] Cabinet Secretary for Finance, Economy and Fair Work; Fol SpAds PO
Cc: [REDACTED]
Subject: RE: Information Request Tracker - new case registered

Robin,

NIL return from trawl for SpAds.

Thanks,
[REDACTED]

From: [REDACTED]
Sent: 21 September 2018 18:02
To: [REDACTED] Cabinet Secretary for Finance, Economy and Fair Work [REDACTED] Fol SpAds
Cc: [REDACTED]
Subject: FW: Information Request Tracker - new case registered

Hi folks,

Can you trawl your records to identify documents within scope of the request below and send to me and [REDACTED] to whom this is also copied.

A response by close Friday 28th September would be helpful.

Thanks in advance,
[REDACTED]

Reference number: [FoI/18/02467](#) (click to open case on Tracker)

Deadline for responding: **10/10/2018**

Requester: [REDACTED]

Information requested: Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018.

[REDACTED]

From: Information_Tracker@scotland.gsi.gov.uk
Sent: 03 October 2018 05:01
To: [REDACTED]
Cc: [REDACTED]
Subject: Information Request Tracker - 15 Day Reminder
Attachments: qA815432.obr

INFORMATION REQUEST TRACKER

15 DAY REMINDER

Reference number: [Fol/18/02467](#) (click to open case on Tracker)

Deadline for responding to your request: **10/10/2018 (5 days to go)**

Requester: [REDACTED]

Information requested: Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018.

WHAT TO DO NEXT

There are now 5 days left before your Fol request is due. According to the tracker, you are still progressing this request. By now, you should have completed a [draft response](#) to this request, proposed the information for release and, where required, asked for comments and/or clearance on your draft response. Once the response is ready to be issued as soon as possible. (requests from the media should be issued via Comms).

If you haven't drafted a response yet, **you should do so as a matter of urgency**. If your response will require comments from special advisers and Communications, and/or clearance from senior managers and Ministers, you should make sure there is time for comments/clearance to be given before the deadline for responding and ensure you tell people when the deadline for responding is.

If you have checked the [guidance](#) and are still having difficulties with your response, you can contact the FOI Unit for advice by e-mailing foi@scotland.gsi.gov.uk.

Once the response has been issued to the requester, please ensure you:

- Save the response in the Objective casefile for this case (which can be accessed by opening the attached Objective file) along with any associated correspondence or information; and
- Update the Tracker by opening up the case and changing the Status field to Responded. Guidance on closing a case on the Tracker is available [here](#).

If you know that you won't be able to send a response out before the deadline, you should issue a holding response to the requester as soon as possible – see step 35 of [the step-by-step guide](#) for holding response templates. However, be aware that the requester will still be entitled to ask for a review of our failure to respond as soon as the deadline has been missed.

[REDACTED]

From: Pickard N (Neil)
Sent: 08 October 2018 11:22
To: Freedom of Information
Subject: RE: Fol/18/02467: advice sought regarding clearance level.

Categories: Susan

Thanks Susan.

Kind regards,
Neil Pickard
Council Tax Policy Officer
Local Government & Analytical Services Division
[REDACTED]

From: Curran S (Susan) **On Behalf Of** Freedom of Information
Sent: 08 October 2018 11:18
To: Pickard N (Neil) [REDACTED]
Subject: RE: Fol/18/02467: advice sought regarding clearance level.

Hi Neil

If there has already been a discussion with SpAds where they have advised that they do not need to see the response then I am content that you release it following your divisional clearance process. I do note however that you have applied s.29 and s.30(b)(i) &(ii) to the documents in their entirety. I would urge you to consider the information within scope of the request on a line by line basis because as it stands the requester will ask for a review of the application of these exemptions. Also the Commissioner takes a very dim view of us applying exemptions in a blanket fashion as there is usually some factual or purely administrative information that can be released. For example document 1 in the ERDM file is factual information and therefore should be released under FOI if it is considered to be within scope of the request.

There is no need to make anyone else aware of the request other than those you've already noted below. We will need a copy sent to the mailbox for publication purposes but other than that I can't see the need to sight anyone else on the response. However if you do reconsider the information as per my advice above you should consult with SpAds again as they will want to see what information is being released.

Kind regards
Susan

From: Pickard N (Neil)
Sent: 08 October 2018 10:21
To: Freedom of Information <foi@gov.scot>
Subject: Fol/18/02467: advice sought regarding clearance level.

Good morning,

Regarding Fol/18/02467 we have drafted the below response – see italicised text.
<http://s0842a/foitracker/ViewCase.aspx?id=qA815432>

My manager – Robin Haynes - has spoken to our SpAd – Callum McCaig – as to whether clearance at divisional director level would be appropriate in this case and Callum’s opinion was that this would be fine. However, as you can read below, Robin would like further assurance that we don’t need to revert to the formal SPAD route. I suspect that you will feel this is a matter entirely for our policy area to decide. Nevertheless could you tell me if you think divisional clearance would be OK in this case?

Also Robin is seeking confirmation of those who should be sighted regarding this response. From what I can find out from the guidance there is no need to inform anyone other than those who already have been in this case and you in the FOI team so that it can be published on the SG web site. Is that the case or is any other communication necessary?

Kind regards,
Neil

“Dear [REDACTED]

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

Thank you for your request which we received on 12 September 2018, made under the Freedom of Information (Scotland) Act 2002 (FOISA 2002).

Your request

You asked for

- *Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018*

Response to your request

Mr Mackay, as Cabinet Secretary for Finance, Economy & Fair Work has had a number of meetings that are within the scope of your request, including with other members of the Scottish Government on June 12th and with other Members of the Scottish Parliament, including on September 13th.

Unfortunately, while our aim is to provide information whenever possible, in this instance we are unable to provide any further information you have requested because exemptions apply under sections of the Freedom of Information Scotland Act 2002, namely:

Section 29
government

Documents relating to the formulation or development of policy:

(a) *the formulation or development of government policy.*

Section 30
which:

Prejudice to effective conduct of public affairs i.e. information

(b) *would, or would be likely to, inhibit substantially:*

(i) *free and frank provision of advice or exchange*

of views

(ii) *the free and frank provision of advice for the*

purposes of deliberation

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 Stephen Gallagher, Director of Local Government and Communities, Area 3H North, Victoria Quay, Edinburgh EH6 6QQ
[REDACTED]

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"

Kind regards,
Neil Pickard
Council Tax Policy Officer
Local Government & Analytical Services Division
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 09 October 2018 08:54
To: Pickard N (Neil)
Subject: FW: Information Request Tracker - 19 Day Reminder
Attachments: qA815432.obr

Hi Neil- we are in a position to close this off now?
R.

From: Information_Tracker@scotland.gsi.gov.uk <Information_Tracker@scotland.gsi.gov.uk>
Sent: 09 October 2018 05:01
To: [REDACTED]
Cc: [REDACTED]
Subject: Information Request Tracker - 19 Day Reminder

INFORMATION REQUEST TRACKER

19 DAY REMINDER

Reference number: [Fol/18/02467](#) (click to open case on Tracker)

Deadline for responding: **10/10/2018 - 1 day to go**

Requester: [REDACTED]

Information requested: Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018.

WHAT TO DO NEXT

By law, you are required to respond to this request by [tomorrow/the next working day].

Therefore before close of play tomorrow you need to issue a response to the requester and close the case on the Tracker. If the deadline is missed, the case will be overdue and the applicant will be entitled to ask for [a review of our failure to respond](#).

If you have checked the [guidance](#) and are still having difficulties with your response, you can contact the FOI Unit for advice by e-mailing foi@scotland.gsi.gov.uk.

If you are seeking comments from special advisers or senior managers and/or seeking clearance from Ministers and they have not got back to you, please get in touch with their office to remind them of the deadline and try to ensure they respond quickly.

Once the response has been issued to the requester, please ensure you:

- Save the response in the Objective casefile for this case (which can be accessed by opening the attached Objective file) along with any associated correspondence or information; and
- Update the Tracker by opening up the case and changing the Status field to Responded. Guidance on closing a case on the Tracker is available [here](#).
- If you are releasing information, look at getting the information published on your relevant topic pages of the Scottish Government website and, if it's likely to be of interest to a range of people, you may also wish to contact the [FOI Unit](#) to arrange for a link to your information to go on the [Disclosure Log](#) as well.

However, if, despite your best efforts, you know that you won't be able to send a response out in time, you should issue a holding response to the requester as soon as possible – see step 35 of the [step-by-step guide](#) for holding response templates.

[REDACTED]

From: Pickard N (Neil)
Sent: 09 October 2018 11:49
To: Cabinet Secretary for Finance, Economy and Fair Work
Cc: Fol SpAds PO; Haynes RJ (Robin)
Subject: FOR INFORMATION - Response letter to FOI request Fol/18/02467 - [REDACTED]
Attachments: FOI-18-02467-final-response-letter-to-Mr [REDACTED].pdf

PS/Mr Mackay,

Please find an attached PDF response letter to FOI request Fol/18/02467 which is addressed to the requester, [REDACTED].

The approach to responding to this request had been confirmed in conversations that Callum McCaig and Alisdair Paddison had with Robin Haynes.

Neil Pickard
Council Tax Policy Officer



T: 0131-244 [REDACTED]

E: [REDACTED]

[REDACTED]

[REDACTED]

Our ref: FoI/18/02467
9 October 2018

Dear Mr [REDACTED]

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

Thank you for your request which we received on 12 September 2018, made under the Freedom of Information (Scotland) Act 2002 (FOISA 2002).

Your request

You asked for

- Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018

Response to your request

Mr Mackay, as Cabinet Secretary for Finance, Economy & Fair Work has had a number of meetings that are within the scope of your request, including with other members of the Scottish Government on June 12th and with other Members of the Scottish Parliament, including on September 13th.



Unfortunately, while our aim is to provide information whenever possible, in this instance we are unable to provide any further information you have requested because exemptions apply under sections of the Freedom of Information Scotland Act 2002.

Section 29 Documents relating to the formulation or development of government policy:

(a) the formulation or development of government policy.

Section 30 Prejudice to effective conduct of public affairs i.e. information which:

(b) would, or would be likely to, inhibit substantially:

(i) free and frank provision of advice or exchange of views

(ii) the free and frank provision of advice for the purposes of deliberation

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 Stephen Gallagher, Director of Local Government and Communities, Area 3H North, Victoria Quay, Edinburgh EH6 6QQ
[REDACTED]

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"



Neil Pickard
Council Tax Policy Officer

From: [REDACTED]
Sent: 09 October 2018 13:08
To: Pickard N (Neil)
Subject: FW: Information Request Tracker - case closed.
Attachments: qA815432.obr

From: Information_Tracker@scotland.gsi.gov.uk <Information_Tracker@scotland.gsi.gov.uk>
Sent: 09 October 2018 13:07
To: Haynes RJ (Robin) <Robin.Haynes@gov.scot>
Subject: Information Request Tracker - case closed.

INFORMATION REQUEST TRACKER

CASE CLOSED

Reference number: [FoI/18/02467](#) (click to open case on Tracker)

Deadline for responding: **10/10/2018**

Requester: [REDACTED]

Details of any meetings or correspondence (emails, typed or handwritten notes, letters, phone calls, minutes of meetings, documents or otherwise) involving Derek Mackay on the topic of local tax/council tax reform from June to September 2018.

WHAT TO DO NEXT

Please ensure you:

- Save the response in the Objective casefile for this case (which can be accessed by opening the attached Objective file) along with any associated correspondence or information - if the requester asks for a review of your decision, this will make it much easier for the reviewer to find the relevant information; and
- If information has been released to the requester, consider publishing this onto the appropriate topic page of the Scottish Government website. Once published, if the information is likely to be of interest to more than just the applicant, send a link to the [FOI Unit](#) and we will add this link to the [SG Disclosure Log](#). For more guidance on this, [click here](#).

Thank you for responding [on time] to this information request.

[REDACTED]

From: [REDACTED] on behalf of Fol SpAds PO
Sent: 10 October 2018 14:18
To: Pickard N (Neil); Cabinet Secretary for Finance, Economy and Fair Work
Cc: Fol SpAds PO; Haynes RJ (Robin)
Subject: RE: FOR INFORMATION - Response letter to FOI request Fol/18/02467 - [REDACTED]

Hi Neil,

SpAds are content with the proposed response. No need for Ministerial clearance.

Thanks,
[REDACTED]

From: Pickard N (Neil)
Sent: 09 October 2018 11:49
To: Cabinet Secretary for Finance, Economy and Fair Work [REDACTED]
Cc: Fol SpAds PO [REDACTED]; Haynes RJ (Robin) [REDACTED]
Subject: FOR INFORMATION - Response letter to FOI request Fol/18/02467 - [REDACTED].

PS/Mr Mackay,

Please find an attached PDF response letter to FOI request Fol/18/02467 which is addressed to the requester, [REDACTED].

The approach to responding to this request had been confirmed in conversations that Callum McCaig and Alisdair Paddison had with Robin Haynes.

Neil Pickard
Council Tax Policy Officer

[REDACTED]

From: [REDACTED] on behalf of Cabinet Secretary for Finance, Economy and Fair Work
Sent: 11 October 2018 14:00
To: Pickard N (Neil); Cabinet Secretary for Finance, Economy and Fair Work
Cc: Fol SpAds PO; Haynes RJ (Robin)
Subject: RE: FOR INFORMATION - Response letter to FOI request Fol/18/02467 - [REDACTED]

Hello Neil

Mr Mackay is content to clear

Thanks

Paula

[REDACTED]

Temporary Support to Derek Mackay MSP, Cabinet Secretary for Finance, Economy and Fair Work
The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [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.

From: Pickard N (Neil)
Sent: 09 October 2018 11:49
To: Cabinet Secretary for Finance, Economy and Fair Work [REDACTED]
Cc: Fol SpAds PO [REDACTED]; Haynes RJ (Robin) [REDACTED]
Subject: FOR INFORMATION - Response letter to FOI request Fol/18/02467 - [REDACTED].

PS/Mr Mackay,

Please find an attached PDF response letter to FOI request Fol/18/02467 which is addressed to the requester, [REDACTED].

The approach to responding to this request had been confirmed in conversations that Callum McCaig and Alisdair Paddison had with Robin Haynes.

Neil Pickard
Council Tax Policy Officer