

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:55
To: [redacted]
Subject: FW: Final advice request hopefully

From: [redacted]
Sent: 12 October 2018 10:47
To: [redacted]
Cc: [redacted]
Subject: RE: Final advice request hopefully

[redacted]

It's correct that if the information is otherwise accessible to the requester then we can apply section 25(1). I'm not sure that the point you've highlighted below necessarily assists though. That relates to information published under other statutory regimes (can't think of one off the top of my head).

Our guidance on section 25 is here:

<http://sgsharepoint/sites/freedomofinformation/FOIEIR%20Wiki/Information%20otherwise%20accessible.aspx>

If some of the documents you're looking at are draft responses to Mr McEnaney himself, then I think you could reasonably say that we sent a response in case [FOI reference number] to him on [date], and so we consider it's reasonably accessible. However, you'll have to list each of the cases where that applied. You'd also have to adapt the template slightly to say that if he no longer has copies of those responses then he should let us know and we will provide a fresh copy.

If you're looking at responses to another requester, there are two possibilities. Since last July (I think), we have published our responses on line if information was disclosed. You could therefore apply section 25 and point to the SG website -- but the section 60 Code of Practice requires us to signpost the requester to the correct place, usually by providing direct links. If the response was not published, either because it's an older one or because no information was disclosed, I don't think it would be reasonably accessible to the requester and you should be considering disclosure (having redacted personal data in the usual way).

[redacted]

[redacted] Head of Policy | Freedom of Information Unit

T: [redacted] | M: [redacted]

From: [redacted]
Sent: 12 October 2018 10:32
To: [redacted]
Cc: [redacted]
Subject: Final advice request hopefully
Importance: High

Hi (again)

Following a check of how many embedded docs there are in just the one FOI response I checked the FOI guidance and am looking for further clarification please.

Looking for further advice on the attachments, especially the embedded ones in which they were then published.

According to the Commissioners Briefing on S25 these should fall under the following shouldn't they? So we could just update the letter to state that exemption and the reason behind it as follows? This would greatly speed up our process to get the information out urgently if so .

Information which authorities are obliged to make public 13. If there is legislation requiring a public authority (or other body) to communicate information to the public, the information is considered to be reasonably obtainable and the exemption will apply.

Also, at least 11 of the embedded documents have been sent to Mr M himself as this is advice of a previous request he has made so he already has access to them!

Many thanks for assistance.

[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:54
To: [redacted]
Subject: FW: FOI 18/02165

From: [redacted]
Sent: 12 October 2018 12:04
To: [redacted]
Cc: [redacted]
Subject: RE: FOI 18/02165

Many thanks, [redacted]

Noted. It makes sense if it make the returned information easier to follow and understand.

[redacted]

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

From: [redacted]
Sent: 12 October 2018 10:43
To: [redacted]
Cc: [redacted]
Subject: FOI 18/02165

Hi [redacted]

Just to note, the PDF email chains which [redacted] commented on had a note to ask where missing docs 6/7 were. I have located these and forwarded them to [redacted] as they are proper to FOI/18/02164 not 165. I think perhaps they were wrongly numbered when picked up as part of the original "whole" FOI. In order to avoid further confusion I will renumber the PDF so they run sequentially and resave a copy. Just informing you so it is clear why I have done this.

[redacted], if those were duplicates then ignore but if were missing please deal with as separate emails for ease and to save you renumbering them all ☺

Regards
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:52
To: [redacted]
Subject: FW: Annex B Email communications update

From: [redacted]
Sent: 12 October 2018 16:41
To: [redacted]
Subject: RE: Annex B Email communications update

Thanks, [redacted] Do you need me to do anything more?

[redacted]

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU
Web: <https://www.education.gov.scot/>

From: [redacted]
Sent: 12 October 2018 16:12
To: [redacted]
Subject: Annex B Email communications update

Hi [redacted]

I have redacted the additional emails 6/7 and saved as new redacted version.
There are still lots of pages shown with nothing but I think these are the scanned double sides as some emails are double sided and others are blank on one side so these parts are ready.

Draft response:
<< File: Annex B Email communications part redacted.pdf >>

Annex A:

<< File: Annex A Links to published FOI responses.docx >>
Annex B:

<< File: FOI Request - FOI_18_02165 - James McEnaney - draft response - 12 October 2018.doc >>

There are still the following docs to locate:
All/Any SIC docs relating to email 20 in Annex B.

And the above and following to redact:
10 individual items to redact.

[redacted -- out of scope]

[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:52
To: [redacted]
Subject: FW: FOIs

From: [redacted]
Sent: 12 October 2018 16:58
To: [redacted]

Subject: RE: FOIs

Thanks [redacted] – we will doubtless catch up on Monday.

Have a good weekend,

[redacted]

[redacted] | Head of Policy | Freedom of Information Unit

T: [redacted] | M: [redacted]

From: [redacted]
Sent: 12 October 2018 16:39
To: [redacted]

Subject: RE: FOIs

Just moving the last 10 or so individual docs to redact and finalise.
I have put an updated draft response, Annex A and Annex B so far into ERDM FOI/18/01265.

[redacted]

From: [redacted]
Sent: 12 October 2018 16:31
To: [redacted]

Subject: FOIs

Dear all,

Just checking where we are with these today, in anticipation of my being asked what is happening!

I know there were a couple of queries this morning, but if there's anything else please just let me know.

Thanks,

[redacted]

[redacted] | Head of Policy | Freedom of Information Unit

Scottish Government | 2W | St Andrew's House | Regent Road | Edinburgh | EH1 3DG

T: [redacted] M: [redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:52
To: [redacted]
Subject: FW: FOIs

From: [redacted]
Sent: 12 October 2018 17:39
To: [redacted]
Subject: RE: FOIs

Great –thank you [redacted] feels like we are almost there!
I have added and redacted all docs and updated draft into ERDM -just putting them into an email now to send to [redacted] and cc Gayle and [redacted] in then see where I go from there (as a mix of published and drafts!)

Have a good weekend
[redacted]

From: [redacted]
Sent: 12 October 2018 17:35
To: [redacted]
Subject: RE: FOIs

Hello –I've located and saved all the attachments and redacted. I'm going to have a fresh eye check on Monday and then will save onto erdm. I have a few things to tidy up and sort on the documents as well. A few of the attachments were erdm links so I need to go over them.

Thanks
[redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:50
To: [redacted]
Subject: FW: FOIs

From: [redacted]
Sent: 12 October 2018 18:16
To: [redacted]
Subject: RE: FOIs

I will have a peak at this Monday and see – I have been able to edit and leave info but I do think there are technical issues and training required for that software tbh!

The ones I had sent with ERDM links I checked if SPADS approved and used my published versions (used FOI links to each one in the end) and for ones which were drafts I went to the emails that went to SPADS as they can't access ERDM so [redacted] told me!

[redacted]

From: [redacted]
Sent: 12 October 2018 18:04
To: [redacted]
Subject: FW: FOIs

Hi [redacted]

I'm just getting ready to clock off.

A few things for Monday:

I've had two items I can't delete the wording as when I go to edit a box surrounds the word and also the link to the attachment – have you had this issue? I've tried a few ways to fix it but it just keeps putting a box round it and moving the wording and link.

A few of the attachments had papers for release but for some reason these are all attached as erdm links – have you had this as well? Because it's on erdm not going to know what version went to SPADS? I've also had one where draft response sent on erdm but looks like it has then been updated to the final reply.

Catch up with you on Monday

[redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:49
To: [redacted]
Subject: FW: FOI 18 01265 update documents and queries URGENT

From: [redacted]
Sent: 15 October 2018 13:38
To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>; Gorman G (Gayle)
<Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: RE: FOI 18 01265 update documents and queries URGENT

[redacted]

I'm working through your email below as we speak – will try to get back to you ASAP.

[redacted]

[redacted] | **Head of Policy** | Freedom of Information Unit

T: [redacted] | M: [redacted]

From: [redacted]
Sent: 15 October 2018 13:33
To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>; Gorman G (Gayle)
<Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: FW: FOI 18 01265 update documents and queries URGENT
Importance: High

Hi [redacted]

Sorry to chase you up so quickly however, as you are aware this is a very high profile and overdue FOI so we want to progress as soon as practically possible to release.

Are you able to advise if you are content that this FOI can go back to SPADs as it stands ?

Regards

[redacted]

From: [redacted]
Sent: 12 October 2018 18:12
To: [redacted]
Cc: [redacted]

PS/Education Scotland
 <ps/educationscotland@educationscotland.gsi.gov.uk>
 Subject: FOI 18 01265 update documents and queries
 Importance: High

Hi [redacted]

Please see attached documents for FOI/18/01265 for comment or agreement to move to next stage.

I have put all attached into ERDM also so if further work is required they are easily obtainable. I have added a couple of specific queries for comment if you are able to advise also?

Many thanks for assistance

Regards
 [redacted]

Draft response	<< File: FOI Request - FOI 18 02165 - James McEnaney - draft response - 12 October 2018.doc >>	
Annex A	<< File: Annex A Links to published FOI responses.docx >>	Provided under section 25(1) – information easily accessible.
Annex B	<< File: Annex B Email communications part redacted.pdf >>	Communications redacted under s38(1)(b) personal information.

Individual Documents numbered as related attachments to emails in Annex B.

Name of Doc	Doc	Comments/queries
Doc 1 a – FOI 16/02169 draft response	<< File: Draft Doc 31 a FOI Request - FOI_18_01063 - [redacted] - Contract....doc >> << File: A22396425.doc >>	Unredacted – released in full
Doc 1 b – Annex B of FOI/16/02169 as published	<< File: A22396425.doc >>	Unredacted – released in full
Doc 1 c – HNI School list of inspections	<< File: Doc 1 b Annex B FOI_16_02169 unredacted.doc >>	Unredacted – released in full.
Doc 4 a – FOI/16/02166 – draft response	<< File: Doc 1 c HNI Inspected school list FOI_16_02169-unredacted.pdf >>	38(1)(b)
Doc 4 b – List of travel expenses for FOI/16/02166	<< File: Doc 4 a FOI_16_02166 draft response redacted.doc >>	Previously redacted when published using 38(1)(b) - we now only leave names of SD/CEO but then the ADs were named on website I believe so were retained. As this has already been in public domain I have left it as so – please advise if this is

		incorrect.
Doc 6 a – updated FOI response to FOI/16/02166	<< File: Doc 4 b List of foreign travel expenses previously redacted.pdf >>	38(1)(b)
Doc 6 b – updated list FOI/16/02166	<< File: doc 6 a FOI_16_02166 Final redacted.doc >>	Previously redacted when published
Doc 8 a – FOI/17/01012 – draft response	<< File: doc 6 a FOI_16_02166 Final redacted.doc >>	38(1)(b)
Doc 10 a – Redrafted response for FOI/17/01012	<< File: Doc 8 a FOI Request -FOI_17_01012 - [redacted] - draft response -....docx >>	38(1)(b)
Doc 20 a – SIC Appeal for FOI/17/01775 draft	<< File: Doc.10 a Redrafted FOI Request - FOI_17_01012 - [redacted] draft docx >>	Unredacted draft
Doc 20 b – SIC appeal notification letter	<< File: Doc 20 a SIC appeal - FOI-17-01775 ES response draft 2 unredacted.docx >>	Redacted 38(1)(b) - (unsure of who these people are or grade?)
Doc 31 a - FOI 18/01063 draft response	<< File: Doc 20 b SIC appeal - FOI-17-01775 SIC appeal notification letter to SG....docx >>	redacted – 38(1)(b)

[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:49
To: [redacted]
Subject: FW: FOIs

From: [redacted]
Sent: 15 October 2018 13:50
To: [redacted]
Subject: RE: FOIs

Hi [redacted]
How are you getting on with these? Have you managed to work out the issues ? [redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:47
To: [redacted]
Subject: FW: FOI 18 01265 update documents and queries

From: [redacted] **Sent:** 15 October 2018 14:10
To: [redacted]
Subject: RE: FOI 18 01265 update documents and queries

[redacted]

Do you have the Word version of Annex B? Some changes are needed but it will be quicker if I just make them rather than trying to describe them.

Thanks,

[redacted]

[redacted] | **Head of Policy | Freedom of Information Unit**

T: [redacted] | M: [redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:46
To: [redacted]
Subject: FW: FOI 18/01264

From: [redacted]
Sent: 15 October 2018 19:02
To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI 18/01264

Sorry, here's the missing attachment.



foi 18 02164
schedule of att...

[redacted] | Head of Policy | Freedom of Information Unit

T: [redacted] M: [redacted]

From: [redacted]
Sent: 15 October 2018 18:52
To: [redacted]
Cc: [redacted] PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI 18/01264

[redacted]

Many thanks for these. I've marked up the email correspondence, as with [redacted], to show where some further redaction or updating is needed.

I've also annotated the document you sent through with the other documents for release with some comments in red – one for you to check, which is around Doc 7 A, along with a couple of instances where the requester's personal information needs to be redacted. There are a couple of comments relating to a) schedules of information and b) eRDM links that I'm currently checking with colleagues. I hope to have a response from them first thing tomorrow.

I've also adjusted the draft response letter, again along the lines of what I did with the one [redacted] sent through.

Happy to discuss.

[redacted]

<< File: Updated FOI 01264 documents redacted 15 October to FOI unit - FOI Unit c....pdf >> << File: FOI Request - FOI_18_02164 - James McEnaney - draft response - FOI Unitdoc >>

[redacted] | Head of Policy | Freedom of Information Unit

T: [redacted] | M: [redacted]

From: [redacted]
Sent: 15 October 2018 14:19
To: [redacted]
Cc: [redacted]PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: FW: FOI 18/01264
Importance: High

<< File: FOI Request - FOI_18_02164 - James McEnaney - draft response - October 2....doc >>

Hi [redacted]

For some reason when the email has been sent the PDF attachments haven't come through. I've attached as a separate document.

Thanks
[redacted]

From: [redacted]
Sent: 15 October 2018 14:10
To: [redacted]
Cc: [redacted] PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: FOI 18/01264
Importance: High

Hi [redacted]

I've enclosed the updated documents for FOI/18/01264. Redactions have been made to the emails and attachments under 38(1)(b). These documents have also been put on the erdm file, along with the full unredacted attachments.

Draft response	<< File: FoI_16_02029.obr >>
Emails with redactions	<< File: FoI_16_01518.obr >>

Foi 18/02164 Schedule of Information --Attachments

As the FOIs are from 2016 they weren't published on the SG website. I've attached erdm links to the papers for release that were sent to SPADS, approved and released.

Number	document	attachment	release	
2a	email FW Freedom of Information Request - In confidence	<< File: ObjRef.obr >>	38(1)(b)	
2a(i)	letter FW Freedom of Information Request - In confidence	<< File: Updated FOI 01264 documents redacted 15 October to FOI unit.pdf >>	38(1)(b)	
2b	Draft Response FOI1600692 - FOIUNIT	<< File: foi 18 02164 schedule of attachments.docx >>	38(1)(b)	
2c	Schedule of documents	<< OLE Object: Acrobat Document >>	Wholly	
2d	Papers for release	<< OLE Object: Acrobat Document >>		Erdm – 34 docs
5a	Draft Response FOI1601060	<< OLE Object: Acrobat Document >>	38(1)(b)	
5b	Schedule of Information - Documents	<< OLE Object: Acrobat Document >>	Wholly	
7a	DLT - PMO - FoI - [redacted] response - Advice to Minister	<< OLE Object: Acrobat Document >>	38(1)(b)	
7b	DLT - PMO - FoI – draft response	<< OLE Object: Acrobat Document >>	38(1)(b)	
9	Duplicate: Docs already enclosed in 7			
11a	Email FW 'Prevent' strategy	<< OLE Object: Acrobat Document >>	38(1)(b)	
11b	Draft Response FOI1601060	<< OLE Object: Acrobat Document >>	38(1)(b)	
11c	Schedule of Information - Document	<< OLE Object: Acrobat Document >>	Wholly	
11d	Papers for release	<< OLE Object: Acrobat Document >> << OLE Object:		some papers not in scope once checked by Colin, enclosed

		Acrobat Document >> << OLE Object: Acrobat Document >>		docs that were in scope and released, erdm link only has papers that were released
18a	Draft Response - FOI1601518 -- Twig	<< OLE Object: Acrobat Document >>	38(1)(b)	
18b	Annex B - Schedule of Information - Documents	<< OLE Object: Acrobat Document >>	Wholly	
18c	Papers for release	<< OLE Object: Acrobat Document >>		Erdm --30 docs
19a	FOI - request - 21 November 2016	<< OLE Object: Acrobat Document >>	38(1)(b)	
19b	FOI -- FOI1601802 - draft response nov 16	<< OLE Object: Acrobat Document >>	38(1)(b)	
19c	Papers for release	<< OLE Object: Acrobat Document >> << OLE Object: Acrobat Document >>		
21a	FOI -[redacted] - request - 2 December 2017	<< OLE Object: Acrobat Document >>	38(1)(b)	
21b	Draft Response to [redacted] FOI1602029	<< OLE Object: Acrobat Document >>	38(1)(b)	
21c	Schedule of Information - Documents	<< OLE Object: Acrobat Document >>	Wholly	
21d	Papers for release	<< OLE Object: Acrobat Document >>		Erdm -- 8 docs

Grateful for your comments on this FOI.

Thanks
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:45
To: [redacted]
Subject: FW: FOI 18 01265 update documents and queries URGENT

From: [redacted]
Sent: 16 October 2018 08:03
To: [redacted]
Cc: [redacted]
Subject: FW: FOI 18 01265 update documents and queries URGENT

Hi [redacted]

Can we catch up about the new round of redactions required in the office. I have concerns as these were previously redacted when you first did them, then following the advice below and further discussion I was led to believe that as these had already been released to the requester as they are now shown in our email trail that counted as "in the public domain" so they were not redacted this time. Now it appears the numbers remain but the detail of journalists et al are redacted as well – even though the paper they work for isn't? I am not convinced that we aren't getting conflicting advice on this and don't want to re-do then have to undo yet again until we are sure. Also not sure of the consistency related to out of scope – some have been left in and others I have been asked to delete as they are out of scope! ☹ We may need to check both "lots" over then call him for final confirmation perhaps?

[redacted]

Cheers
[redacted]

From: [redacted]
Sent: 15 October 2018 17:52

To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>; Gorman G (Gayle)
<Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: RE: FOI 18 01265 update documents and queries URGENT

Also the marked up Annex B.



02165 - Annex B
Email communi...

From: [redacted]
Sent: 15 October 2018 17:51
To: [redacted]
Cc: [redacted] PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>; Gorman G (Gayle)
<Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: RE: FOI 18 01265 update documents and queries URGENT

[redacted]

I've now been through all of this. Responses to your specific comments are below. I've updated the redactions for the documents mentioned (see attachments) but I can't do anything with the emails in Annex B as they're in pdf – so I have coloured them up to show the changes that will be needed (I don't have Acrobat Pro). I think you might also just want to call that document "Email correspondence between Colin McAllister and Education Scotland" or something along those lines, rather than Annex B – it's not cross-referenced in the letter.

I think the main thing which needed to be tidied up is redaction of the requester's personal information. Having checked with colleagues I can confirm that we would usually redact their names. I've however left Mr McEnaney's name in at one point as he has specifically asked that we do so, and in another place I leave in the names of MSPs (which is also our usual practice).

I've made some changes to the draft response letter too, so that it follows more closely our usual approach to applying sections 25 and 38(1)(b).

Happy to discuss (I'll now move on to look at what [redacted] has sent through for 02164).

[redacted]

<< File: 02165 - Doc 10A (redacted).docx >> << File: 02165 - Doc 4A (redacted).doc >> << File: 02165 - Doc 8A (redacted).docx >> << File: 02165 - Doc 20A (redacted).docx >> << File: 02165 - Doc 20B (redacted).docx >> << File: 02165 - Doc 31A (redacted).doc >> << File: 02165 - Doc 1A (redacted).doc >> << File: 02165 - Doc 6A (redacted).doc >>

<< File: FOI Request - FOI_18_02165 - James McEnaney - draft response - 12 Octobe....doc >>

[redacted] | Head of Policy | Freedom of Information Unit

T: [redacted] | M: [redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:44
To: [redacted]
Subject: FW: FOI & EIRS UPDATE: 2 October 2018

From: [redacted]
Sent: 16 October 2018 08:05
To: [redacted]
Subject: RE: FOI & EIRS UPDATE: 2 October 2018

Hi [redacted]

I think we will need to do a submission with these two FOI responses when we send to Minister perhaps?

[redacted]

From: [redacted]
Sent: 15 October 2018 17:24
To: [redacted]
Subject: FW: FOI & EIRS UPDATE: 2 October 2018

Hi – Just catching up with the emails that have come in and noticed this – not sure if SPADS already replied? –I've not responded – we can discuss tomorrow – thanks[redacted]

From: [redacted] On Behalf Of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 12 October 2018 10:03
To: [redacted]
Cc: McAllister C (Colin) <Colin.McAllister@gov.scot>; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Subject: FW: FOI & EIRS UPDATE: 2 October 2018

Hi,

DFM has noted that a couple of FOIs in his portfolio were overdue. He's asked for reasons that the following FOIs were overdue:

- FOI 18/02164
- FOI 18/02185

Thanks,
[redacted]

[redacted] | Private Secretary 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]

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.

[redacted -out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:43
To: [redacted]
Subject: FW: Urgent clarification required.

From: [redacted]
Sent: 16 October 2018 12:13
To: [redacted]
Cc: [redacted]
Subject: RE: Urgent clarification required.

[redacted]

My diary looks clear today, so whenever suits you best is fine by me.

[redacted]

[redacted] | Head of Policy | Freedom of Information Unit

T: [redacted] | M: [redacted]

From: [redacted]
Sent: 16 October 2018 12:07
To: [redacted]
Cc: [redacted]
Subject: Urgent clarification required.
Importance: High

Hi [redacted]

Thank you for your assistance and sending on the updated and marked word/pdf documents.

Both [redacted] and I have some queries on the documents and would really appreciate some definite clarifications prior to re-redacting some of the information marked up.

Would it be possible for us to call you? If you have a specific time slot then we can arrange to use a room with a call facility.

Kind regards
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:41
To: [redacted]
Subject: FW: *FOR URGENT ACTION* FOI/16/01113 -[redacted] TwigWorld

From: [redacted]
Sent: 16 October 2018 15:54
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted], TwigWorld

Hi [redacted]

The current FOI request is asking for:

Copies of all communications between Colin McAllister and Education Scotland staff regarding FOI requests -from January 2016 to December 2016.

In the original FOI request, the Ministerial briefing was enclosed with the draft FOI response and asked Colin to review. We would release Ministerial briefings unless they were sensitive, in which case we could withhold under free and frank provision of advice. Or we could withhold if there were commercial sensitivities.

Thanks
[redacted]

From: [redacted]
Sent: 16 October 2018 15:08
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted], TwigWorld

Hi [redacted]

It is the current FOI request I am looking for a copy of. What is the line on releasing Ministerial briefings, I wasn't aware that we released them.

[redacted]

[redacted]
Programme Lead
Digital Learning and Teaching Programme
[redacted]
Mobile: [redacted]

From:[redacted]
Sent: 16 October 2018 15:06
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted]

I've enclosed the FOI response which was sent to the requester, [redacted].

Thanks
[redacted]

From: [redacted]
Sent: 16 October 2018 15:01
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted]

Can you send me a copy of the FOI request please so that I can put the response in perspective.

Thanks
[redacted]

[redacted]
Programme Lead
Digital Learning and Teaching Programme
[redacted]
Mobile: [redacted]

From: [redacted]
Sent: 16 October 2018 14:57
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: *FOR URGENT ACTION* FOI/16/01113 - [redacted] TwigWorld
Importance: High

Hello

We are currently working on a FOI response which will include attachments from FOI/16/01113. The attachments include a draft advice to ministers.

[redacted] – As you were involved in the original response, can you please check over the enclosed document and advise if there are any commercial sensitivities over releasing this document. If so, can you please indicate any information which should be redacted.

[redacted] – Grants are mentioned in the document, can you please check over and advise if there are any commercial sensitivities over releasing the grant information. If so, can you please indicate any information which should be redacted.

Grateful for a response by **11am tomorrow, Wednesday 17 October.**

Thanks
[redacted]

[redacted - not in scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:41
To: [redacted]
Subject: FW: Urgent clarification required.

From: Gorman G (Gayle)
Sent: 16 October 2018 16:18
To: [redacted]

Subject: RE: Urgent clarification required.

I am not content to sign this off
Gayle

Gayle Gorman

Chief Inspector/ Chief Executive

Education Scotland
Foghlam Alba

From: [redacted]
Sent: 16 October 2018 16:02
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: FW: Urgent clarification required.

Hi Gayle

[redacted] is currently in meetings this afternoon but asked me to forward you the proposed FOI Unit apology line below for your consideration/comment.
[redacted] and I are finalising the redactions as we have been asked to re-redact some of the names we had previously been advised to unredact (journalists names) then we will look to finalising the response and sending back off to SPADs as advised by the FOI unit.

Regards
[redacted]

From: [redacted]
Sent: 16 October 2018 15:16
To: [redacted]

Cc: [redacted] Subject: RE: Urgent clarification required.

[redacted]

On the three points that I said I'd discuss and come back to you:

1. [redacted]

Happy to discuss.

[redacted]

[redacted] | Head of Policy | Freedom of Information Unit

T:[redacted] | M: [redacted]

From: [redacted]

Sent: 16 October 2018 12:07

To: [redacted]

Cc: [redacted]

Subject: Urgent clarification required.

Importance: High

Hi [redacted]

Thank you for your assistance and sending on the updated and marked word/pdf documents.

Both [redacted] and I have some queries on the documents and would really appreciate some definite clarifications prior to re-redacting some of the information marked up.

Would it be possible for us to call you? If you have a specific time slot then we can arrange to use a room with a call facility.

Kind regards

[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:40
To: [redacted]
Subject: FW: FOI_18_02165

From: Gorman G (Gayle)
Sent: 17 October 2018 08:47
To: [redacted]
Cc: [redacted]
Subject: RE: FOI_18_02165

Approved

From: [redacted]
Sent: 16 October 2018 17:09
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Cc: [redacted]
Subject: FOI_18_02165
Importance: High

Hi Gayle

Please see attached for your comment/approval.
FOI unit advice is that this should go back to SPADs and then onto Minister prior to release. Kind regards
[redacted]

Draft FOI response:
<< File: final redacted emails.pdf >>

Annex A:
<< File: Annex A Links to published FOI responses.docx >>
Redacted emails:
<< File: Doc 1 b Annex B FOI_16_02169 - unredacted.doc >>

Documents embedded within the emails:
Unredacted:
<< File: Doc 1 c HNI Inspected school list FOI_16_02169- unredacted.pdf >> << File: Doc 4 b List of foreign travel expenses previously redacted.pdf >> << File: doc 6 b List of travel expences Updated info previously redacted.pdf >> << File: 02165 - Doc 1A (redacted).doc >>

Redacted:

<< File: 02165 - Doc 4A (redacted).doc >> << File: 02165 - Doc 6A (redacted).doc >> << File: 02165 - Doc 8A (redacted).docx >> << File: 02165 - Doc 10A (redacted).docx >> << File: 02165 - Doc 20A (redacted).docx >> << File: 02165 - Doc 20B (redacted).docx >> << File: 02165 - Doc 31A (redacted).doc >> << File: FOI Request - FOI_18_02165 - James McEnaney - draft response - 16 Octobe....doc >>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:39
To: [redacted]
Subject: FW: Urgent clarification required.

From: [redacted]
Sent: 17 October 2018 09:11
To: [redacted]
Subject: RE: Urgent clarification required.

Hi [redacted]

I need to brief the CEO on these. Can I just confirm with you... I think you said on the phone that these are required to go to SpAds and DFM before issue?

Cheers,
[redacted]

~~[redacted] | Head of Communications | Education Scotland | Foghlam Alba~~

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU
Web: <https://www.education.gov.scot/>

[redacted – out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:37
To: [redacted]
Subject: FW: : *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld
Attachments: 6.9.16 Response to [redacted] FOI1601113.pdf

From: [redacted]
Sent: 17 October 2018 10:09
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: : *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted]

I've enclosed the FOI response which was sent to the requester, [redacted].

Thanks
[redacted]

From: [redacted]
Sent: 17 October 2018 10:03
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: : *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi,

Can you forward me the original response with the attachments.

[redacted]

From: [redacted]
Sent: 16 October 2018 17:39
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: : *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

[redacted]

I wasn't involved in grants at the time of this 2016 FOI however I'm not aware that grants have commercial sensitivities however I'm copying [redacted] in on this for her advice.

Kind regards
[redacted]

[redacted] | Procurement and Grants Manager | Education Scotland | Foghlam Alba
T: [redacted] M: [redacted]

1st Floor, Endeavour House, 1 Greenmarket, DUNDEE DD1 4QB
www.education.gov.scot

[redacted - out of scope]

[redacted]

From: [redacted]on behalf of PS/Education Scotland
Sent: 07 December 2018 16:36
To: [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment

From: Gorman G (Gayle)
Sent: 17 October 2018 11:44
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI_18_02165 updated letter draft for approval-comment

We need to expand on the apology and explain why it is delayed –can that be added and quickly sent round to s again
G

From: [redacted]
Sent: 17 October 2018 11:42
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment
Importance: High

Hi Gayle

[redacted] and myself have had a discussion to re-word the apology line.
Please see proposed draft attached for your consideration/comment/approval.
Regards
[redacted]

<< File: final redacted emails.pdf >>

[redacted-out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:25
To: [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment

From: [redacted]
Sent: 17 October 2018 12:46
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI_18_02165 updated letter draft for approval-comment

Gayle,
Working in revisions as we speak Get something across soon.

[redacted]

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

From: Gorman G (Gayle)
Sent: 17 October 2018 12:45
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI_18_02165 updated letter draft for approval-comment

Think it is earlier version attached

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:24
To: [redacted]
Subject: FW: Wording

From: [redacted]
Sent: 17 October 2018 12:47
To: [redacted]
Subject: RE: Wording

I am content with that.

From: [redacted]
Sent: 17 October 2018 12:45
To: [redacted]
Subject: Wording

Hi both,
Could we say ...

May we first make an apology for the lateness of this response.

We have sought guidance from the central FoI Unit at Scottish Government on some technical aspects of our response. Whilst this has helped us provide you with better information, it has also identified that our method of redaction needed to change so that black lines are no longer used. This necessitated some technological changes and a fresh scan of the materials to be released.

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:23
To: [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment

From: PS/Education Scotland
Sent: 17 October 2018 13:35
To: [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment

From: Gorman G (Gayle)
Sent: 17 October 2018 13:32
To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Cc: [redacted]
Subject: RE: FOI_18_02165 updated letter draft for approval-comment

Approved for release
Gayle

From: [redacted] On Behalf Of PS/Education Scotland
Sent: 17 October 2018 13:30
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted]
Cc: [redacted]
Subject: FW: FOI_18_02165 updated letter draft for approval-comment
Importance: High

Hi Gayle/[redacted]

Updated response attached. Can I clarify, is this response to be issued, sent to SPADs or Minister?

Kind regards
[redacted]

<< File: final redacted emails.pdf >>

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:23
To: [redacted]
Subject: FW: *FOR URGENT ACTION* FOI/16/01113 - [redacted] TwigWorld

From: [redacted]
Sent: 17 October 2018 13:38
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted], TwigWorld

Hi [redacted] – can you please advise on this as it needs to go urgently to Gayle Gorman for approval.

Thanks
[redacted]

From: [redacted]
Sent: 17 October 2018 12:59
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted]

I can confirm that we are comfortable that the information contained on Twig costs is not commercially sensitive. SG procurement have also agreed with this assessment.

I would note though that the information contained in para 9 about Grants may be sensitive but I cannot provide further advice on this within such tight timescales . If you can extend the deadline I can try to get more information, alternatively [redacted] may be able to contribute here ?

[redacted]

[redacted]
Programme Lead
Digital Learning and Teaching Programme
[redacted]
Mobile: [redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:19
To: [redacted]
Subject: FW: FOI_18_02165 for approval for release response was due 7 September 2018

From: [redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 18 October 2018 08:09
To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted] PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted] PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Thanks [redacted].

[redacted] – grateful if you could resend the FOI to us once it is ready for DFM's consideration.

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] | E: DFMCSE@gov.scot

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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] **On Behalf Of** Fol SpAds PO
Sent: 17 October 2018 14:28
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted] PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]; PS/Education Scotland

[<ps/educationscotland@educationscotland.gsi.gov.uk>](mailto:ps/educationscotland@educationscotland.gsi.gov.uk)

Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Hi [redacted]

To note that while SpAds had been content with a previous version of this FOI Education Scotland have since been working with the FOI unit to improve the response. Therefore this new, extended version has not been through SpAds again and it will need reviewed before advice can be provided from SpAds.

As [redacted] notes this FOI is significantly overdue and attracting attention so we will prioritise this today.

Many thanks,

[redacted]

[redacted]

Private Secretary
Special Advisers' Office

Tel: [redacted]

Mobile: [redacted]

From: [redacted]

Sent: 17 October 2018 14:13

To: Deputy First Minister and Cabinet Secretary for Education and Skills [<DFMCSE@gov.scot>](mailto:DFMCSE@gov.scot)

Cc: FOI SpAds PO [<FOI.SpAdsPO@gov.scot>](mailto:FOI.SpAdsPO@gov.scot); Gorman G (Gayle) [<Gayle.Gorman@educationscotland.gsi.gov.uk>](mailto:Gayle.Gorman@educationscotland.gsi.gov.uk);

[redacted] PS/Education Scotland

[<ps/educationscotland@educationscotland.gsi.gov.uk>](mailto:ps/educationscotland@educationscotland.gsi.gov.uk); [redacted] PS/Education Scotland

[<ps/educationscotland@educationscotland.gsi.gov.uk>](mailto:ps/educationscotland@educationscotland.gsi.gov.uk)

Subject: FOI_18_02165 for approval for release response was due 7 September 2018

Importance: High

Dear Minister

Please see the attached FOI request 18/02165, McEnaney, for clearance, which was due for release on the 7 September 2018.

As this FOI is overdue a speedy response would be greatly appreciated.

Regards

[redacted]

Draft FOI response:

<< File: final redacted emails.pdf >>

Annex A:

<< File: Annex A Links to published FOI responses.docx >>

Redacted emails:

<< File: Doc 1 b Annex B FOI_16_02169 - unredacted.doc >>

Documents embedded within the emails to be released:

Unredacted documents:

<< File: Doc 1 c HNI Inspected school list FOI_16_02169- unredacted.pdf >> << File: Doc 4 b List of foreign travel expenses previously redacted.pdf >> << File: doc 6 b List of travel expences Updated info previously redacted.pdf >> << File: 02165 - Doc 1A (redacted).doc >>

Redacted:

<< File: 02165 - Doc 4A (redacted).doc >> << File: 02165 - Doc 6A (redacted).doc >> << File: 02165 - Doc 8A (redacted).docx >> << File: 02165 - Doc 10A (redacted).docx >> << File: 02165 - Doc 20A (redacted).docx >> << File: 02165 - Doc 20B (redacted).docx >> << File: 02165 - Doc 31A (redacted).doc >> << File: FOI Request - FOI_18_02165 - James McEnaney - draft response - 16 Octobe.._.doc >>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:16
To: [redacted]
Subject: FW: FOI_18_02165 for approval for release response was due 7 September 2018

From: [redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 18 October 2018 11:39
To: FOI SpAds PO <FOI.SpAdsPO@gov.scot>; [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted] PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted] PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

[redacted] – can you re-send the FOI and we can send it to DFM electronically today.

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] | E: DFMCSE@gov.scot

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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] **On Behalf Of** FOI SpAds PO
Sent: 18 October 2018 10:40
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: FOI SpAds PO <FOI.SpAdsPO@gov.scot>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted]; PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]; PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

All,

SpAds are content with the proposed response now going for Ministerial clearance, but only if DFM is in a position to look at it this week. If he is not, the response should issue.

Before it does issue, lines will need to be prepared with Comms, particularly on SpAd involvement in FOI and on timeliness of responses.

Many thanks,

[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.

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:15
To: [redacted]
Subject: FW: FOI_18_02165 for approval for release response was due 7 September 2018

From: [redacted]
Sent: 18 October 2018 14:14
To: [redacted]
Cc: [redacted]
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Hi [redacted]
It is now with the DFM for consideration and we are working with Comms for lines and need to respond to an email request to detail the delay to DFM also. Almost there with this one!

[redacted] is also working on 18_02164 which is for the previous year of information (2016-17). We are having difficulty getting a finance/procurement/grants perspective on if a single document is commercially sensitive or not relating to grant/contract payments in 2016. Hopefully this will be resolved today and the documents can go to Gayle, Spads and DFM asap.

Regards
[redacted]

From: [redacted]
Sent: 18 October 2018 14:03
To: [redacted]
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Hi [redacted]

Is that the FOI away now?

Regards

[redacted]

[redacted] Assistant Director – Governance, Assurance and Corporate Performance | Education
Scotland | Foghlam Alba

Tel:[redacted] Internal: [redacted]
Mobile: [redacted]

AB1, 48 Huntly Street, Aberdeen, AB10 1SH

AB1, 48 Sràid Huntley, Obar Dheathain, AB10 1SH

for Scotland's learners with Scotland's educators

#WeAreES

www.education.gov.scot

From: [redacted]
Sent: 18 October 2018 11:59
To: Deputy First Minister and Cabinet Secretary for Education and Skills
<DFMCSE@gov.scot> **Cc:** Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>;
[redacted]PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: FW: FOI 18 02165 for approval for release response was due 7 September 2018
Importance: High

Please find attached the FOI response as requested for consideration.

Regards
[redacted]

[redacted - out of scope]

[redacted]

From: [redacted]) on behalf of PS/Education Scotland
Sent: 07 December 2018 16:14
To: [redacted]
Subject: FW: FOI_18_02165 for approval for release response was due 7 September 2018

From: [redacted]
Sent: 18 October 2018 14:18
To: [redacted]
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Thanks [redacted] – if no response give her another call at 3 – would be good to get this through Gayle and off to SPADs today if at all possible! (remember we have a 5 shut down of ERDM though!)
[redacted]

From: [redacted]
Sent: 18 October 2018 14:15
To: [redacted]
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

Hi – still not had a response back – I called [redacted] at 2pm and have left a voicemail.

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:14
To: [redacted]
Subject: FW: gathered timelines

From: [redacted]
Sent: 18 October 2018 16:55
To: [redacted]
Cc: [redacted]
Subject: gathered timelines

Hi folks

I have gathered up a timeline so we can analyse and create an internal lessons learnt doc - learning from this experience going forward.

[redacted] can you look over and if you feel I have missed any pertinent points or important communications then add them in and recirculate.
If you are still awaiting info internally regarding the one possible sensitive doc then add that in or where you are now up to.

[redacted]
I believe we need to make a response to DFM email regarding a request about what caused the delay – hoping that this info for our internal forthcoming CPD session may assist with that once complete. Not sure if a submission is required or not as they usually go up with the DFM request for approval on looking at the guidance. Perhaps an email to say we will send a submission when both FOI's are completed or when 02164 goes up for approval ? Janie or Gayle may be the best to advise as most recent submissions are from them ☺

Happy to discuss with you although ERDM does close at 5 tonight so perhaps tomorrow (and possibly we can release one FOI hopefully then!)

Kind regards
[redacted]



Whole time line
for FOI reques...

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:12
To: [redacted]
Subject: FW: *FOR URGENT ACTION by 11 am today, 18 October* FOI/16/01113 - [redacted] TwigWorld

From: [redacted]
Sent: 19 October 2018 10:10
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: *FOR URGENT ACTION by 11am today, 18 October* FOI/16/01113 [redacted], TwigWorld

Thanks [redacted] for confirming.

Thanks
[redacted]

From: [redacted]
Sent: 19 October 2018 09:51
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION by 11am today, 18 October* FOI/16/01113 - [redacted], TwigWorld

Apologies, I was off yesterday. It is not commercially sensitive and can be released.

[redacted]

From: [redacted]
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION by 11am today, 18 October* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted] – as we hold the information and have provided it in this document we would need to decide whether it is sensitive and should be redacted or not.

Thanks
[redacted]

From: [redacted]
Sent: 18 October 2018 09:38
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]

Subject: RE: *FOR URGENT ACTION by 11am today, 18 October* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted]

Just for my info....if those funds didn't come from LTS/ES, is it for ES to decide if this is commercially sensitive information?

I don't feel able to confirm this one but I'm sure [redacted] will get back to you.

regards
[redacted]

[redacted] | Procurement and Grants Manager | Education Scotland (Fochlam Alba
T[redacted] M: [redacted]
1st Floor, Endeavour House, 1 Greenmarket, DUNDEE DD1 4QB
www.education.gov.scot

From: [redacted]
Sent: 18 October 2018 09:22
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: *FOR URGENT ACTION by 11am today, 18 October* FOI/16/01113 - [redacted], TwigWorld

Hello

Further to the emails below, can you confirm if this line is commercially sensitive and should be redacted? If so, we will redact this sentence and release the rest of the document.

Please response by **11am today, 18 October**.

Thanks
[redacted]

From: [redacted]
Sent: 17 October 2018 16:09
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 - [redacted], TwigWorld

Hi [redacted], yes it is

[redacted]

[redacted]
Programme Lead
Digital Learning and Teaching Programme
[redacted]
Mobile: [redacted]

From: [redacted]
Sent: 17 October 2018 15:42
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted]Phillip John, TwigWorld

Hi [redacted] I think [redacted] has left for the day.

Hi [redacted]

Can I check -- re the para 9 you mentioned below -- is the line I've highlighted stating that Twig World received this grant funding from others rather than LTS/ES?

9. *In addition to the grant from LTS, Twig World Ltd received financial support of £1.7m Regional Selective Assistance (RSA) grant, £205K training grant and Scottish Enterprise Venture Fund investment. It was anticipated that Twig World's investment in Scotland's digital media sector, would create new jobs in Glasgow and provide a major new online resource providing a context for science teaching in Scotland.*

Thanks
[redacted]

[redacted] | Procurement and Grants Manager | Education Scotland | Fochlam Alba
T: [redacted] M: [redacted]
1st Floor, Endeavour House, 1 Greenmarket, DUNDEE DD1 4QB
www.education.gov.scot

From: [redacted]
Sent: 17 October 2018 13:38
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted], TwigWorld

Hi [redacted] can you please advise on this as it needs to go urgently to Gayle Gorman for approval.

Thanks
[redacted] --

From: [redacted]
Sent: 17 October 2018 12:59
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: *FOR URGENT ACTION* FOI/16/01113 -[redacted] TwigWorld

Hi [redacted]

I can confirm that we are comfortable that the information contained on Twig costs is not commercially sensitive. SG procurement have also agreed with this assessment.

I would note though that the information contained in para 9 about Grants may be sensitive but I cannot provide further advice on this within such tight timescales . If you can extend the deadline I can try to get more information, alternatively [redacted] may be able to contribute here ?

[redacted]

[redacted]

Programme Lead
Digital Learning and Teaching Programme

[redacted]

Mobile: [redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent:
To: 07 December 2018 16:04
Subject: [redacted]
FW: For approval: McEnaney FOI 18/02164
Importance: High

From: Gorman G (Gayle)
Sent: 19 October 2018 10:48
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: For approval: McEnaney FOI 18/02164
Importance: High

Approved

Gayle Gorman
Chief Inspector / Chief Executive
Education Scotland

(sent from mobile device please accept apologies for brevity/ structure)

From: [redacted]
Sent: 19 Oct 2018 10:31
To: "Gorman G (Gayle)" <Gayle.Gorman@educationscotland.gsi.gov.uk>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; "[redacted]"
Subject: For approval: McEnaney FOI 18/02164

Hello Gayle

I've enclosed the updated documents for FOI/18/01264. Redactions have been made to the emails and attachments under 38(1)(b).

Draft response

Redacted emails

The document below is the attachments which were contained in the emails.

Grateful for your comments/approval.

Thanks
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent:
To: 07 December 2018 16:04
Subject: [redacted]
FW: For Urgent approval: McEnaney FOI 18/02164
Importance: High

From: [redacted]
Sent: 19 October 2018 10:57
To: FoI SpAds PO <FoI.SpAdsPO@gov.scot>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: For Urgent approval: McEnaney FOI 18/02164
Importance: High

Hello

Please see the attached FOI request 18/02164, McEnaney, for clearance, which was due for release on the 7 September 2018.
As this FOI is overdue a speedy response would be greatly appreciated.

I've enclosed the updated documents for FOI/18/01264. Redactions have been made to the emails and attachments under 38(1)(b).

Draft response	 FOI Request - FOI_18_02164 - J...
Redacted emails	 FINAL Updated FOI 01264 docu...

The document below is the attachments which were contained in the emails.



FINAL foi 18
02164 schedule ...

Thanks
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:01
To: [redacted]
Subject: FW: FOI_18_02165 for approval for release response was due 7 September 2018

From:[redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 19 October 2018 11:18
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>; [redacted]; PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI_18_02165 for approval for release response was due 7 September 2018

[redacted]

The DFM has cleared this for issue.

Thanks
[redacted]

[redacted] | Private Secretary to John Swinney MSP | Deputy First Minister of Scotland and Cabinet Secretary for Education and Skills | Scottish Government | St Andrew's House | Edinburgh | EH13DG | [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.

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:01
To: [redacted]
Subject: FW: For approval: McEnaney FOI 18/02164

From: Gorman G (Gayle)
Sent: 19 October 2018 11:53
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: For approval: McEnaney FOI 18/02164

Thanks for clarifying
Gayle

Gayle Gorman
Chief Inspector / Chief Executive
Education Scotland

(sent from mobile device please accept apologies for brevity/ structure)

From: [redacted]
Sent: 19 Oct 2018 11:15
To: "Gorman G (Gayle)" <Gayle.Gorman@educationscotland.gsi.gov.uk>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: For approval: McEnaney FOI 18/02164

Hi Gayle – [redacted] was working on 18/02165 and that was cleared by SPADS and sent to DFM yesterday. This other FOI for McEnaney 18/02164 was delayed as the FOI unit advised us to check whether a document was commercially sensitive or not relating to grant/contract payments in 2016. We received confirmation this morning that it was not commercially sensitive and could be released.

Thanks
[redacted]

From: Gorman G (Gayle)
Sent: 19 October 2018 11:05
To: [redacted]
Subject: RE: For approval: McEnaney FOI 18/02164
Importance: High

[redacted]
I thought this was cleared yesterday?

Gayle Gorman
Chief Inspector / Chief Executive
Education Scotland

(sent from mobile device please accept apologies for brevity/ structure)

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 16:01
To: [redacted]
Subject: FW: For approval: McEnaney FOI 18/02164

From: Gorman G (Gayle)
Sent: 19 October 2018 12:01
To: [redacted]

Subject: RE: For approval: McEnaney FOI 18/02164

approved

From: [redacted]
Sent: 19 October 2018 10:31
To: Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]

Subject: For approval: McEnaney FOI 18/02164
Importance: High

Hello Gayle

I've enclosed the updated documents for FOI/18/01264. Redactions have been made to the emails and attachments under 38(1)(b).

Draft response	<< File: FOI Request - FOI_18_02164 - James McEnaney - draft response - October 2....doc >>
Redacted emails	<< File: FINAL Updated FOI 01264 documents redacted 16 Oct 2018.pdf >>

The document below is the attachments which were contained in the emails.

<< File: FINAL foi 18 02164 schedule of attachments.docx >>

Grateful for your comments/approval.

Thanks

[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:59
To: [redacted]
Subject: FW: Line re FOIs

From: [redacted]
Sent: 19 October 2018 13:44
To: [redacted]
Subject: RE: Line re FOIs

Hi [redacted]
Ok with that as it needs to fall in line with what we have put in the responses and the requested changes have caused a part of the delay! Saying that we are quite well versed in the new technology now having eaten, slept (and otherwise) it for the last couple of weeks!
[redacted]

From: [redacted]
Sent: 19 October 2018 13:36
To: [redacted]
Subject: Line re FOIs

Both,
As you know we've been asked to prepare a line regarding the delay in response to two FOI requests. How does the following sound to you.

'Education Scotland has apologised to Mr McEnaney for the unacceptable delay in responding to his FOI requests. This was as a result of the volume of material to be searched but also due to a change in redaction processes which brought technological issues. Our service has fallen short of our usual standards with these requests and we will look at lessons to be learned.

[redacted]

[redacted] | Head of Communications | Education Scotland | Fòghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:58
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

From: [redacted]
Sent: 22 October 2018 09:44
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Hi [redacted] – it was sent to SPADS on Friday

Thanks
[redacted]

From: [redacted]
Sent: 22 October 2018 09:02
To: [redacted]
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Hi [redacted]

Remind me where we are with this one ? Is it with SpADs or DFM now?

Hoping we will be in a position to release if so!

[redacted]

From: PS/Education Scotland
Sent: 22 October 2018 08:56
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165
Importance: High

Hi [redacted]

To see email below re FOI/18/02164.

Regards.

~~[redacted] - Corporate Support Administrator - Education Scotland - Feghlan Alba~~

~~Tel: [redacted]~~

Address: Denholm House, Almondvale Way, Livingston EH54 6GA

Web: www.education.gov.scot

From: James McEnaney <jmcedmedia@gmail.com>

Sent: 20 October 2018 09:52

To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>

Subject: Re: FOI request - Education Scotland FOI request FOI_18_02165

Thank you for this but I note that only one of my FOI requests seems to have been answered? The same request was also made for communications from Jan 2016-Jan 2017 and that does not seem to have been provided to me? Could you please advise when I will receive this response?

James McEnaney

On Fri, 19 Oct 2018 at 12:21, <ps/educationscotland@educationscotland.gsi.gov.uk> wrote:

Dear Mr McEnaney

Please see attached our response to your Freedom of Information request, FOI/18/02165.

- (1) Response
- (2) Annex A
- (3) Redacted emails
- (4) Documents embedded in redacted emails t (3) - unredacted
- (5) Documents embedded in redacted emails at (3) - redacted

Regards.

Official Correspondence Unit | Education Scotland | Foghlam Alba

Tel: [redacted]

Web: www.education.gov.scot

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland 07
Sent: December 2018 15:58
To: [redacted]
Subject: FW: For Urgent approval: McEnaney FOI 18/02164

From: [redacted] **On Behalf Of** FOI SpAds PO
Sent: 22 October 2018 09:48
To: [redacted] FOI SpAds PO <FOI.SpAdsPO@gov.scot>

Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: RE: For Urgent approval: McEnaney FOI 18/02164

[redacted]

SpAds are content for you to send your proposed response on for Ministerial clearance.

Kind regards,

[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]
Sent: 19 October 2018 10:57
To: FOI SpAds PO <FOI.SpAdsPO@gov.scot>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted] Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>

Subject: For Urgent approval: McEnaney FOI 18/02164

Importance: High

Hello

Please see the attached FOI request 18/02164, McEnaney, for clearance, which was due for release on the 7 September 2018.

As this FOI is overdue a speedy response would be greatly appreciated.

I've enclosed the updated documents for FOI/18/01264. Redactions have been made to the emails and attachments under 38(1)(b).

Draft response	<< File: FOI Request - FOI_18_02164 - James McEnaney - draft response - October 2....doc >>
Redacted emails	<< File: FINAL Updated FOI 01264 documents redacted 16 Oct 2018.pdf >>

The document below is the attachments which were contained in the emails.

<< File: FINAL foi 18 02164 schedule of attachments.docx >>

Thanks
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent:
To: 07 December 2018 15:58
Subject: [redacted]
FW: For Urgent approval: McEnaney FOI 18/02164
Importance: High

From: [redacted]
Sent: 22 October 2018 09:57
To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted] Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: For Urgent approval: McEnaney FOI 18/02164
Importance: High

Hello

Please see the attached FOI request 18/02164, McEnaney, for clearance, which was due for release on the 7 September 2018.
As this FOI is overdue a speedy response would be greatly appreciated.

Draft response	 FOI Request - FOI_18_02164 - J...
Redacted emails	 FINAL Updated FOI 01264 docu...

The document below is the attachments which were contained in the emails.



FINAL foi 18
02164 schedule ...

Thanks
[redacted]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:56
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

From: [redacted]
Sent: 22 October 2018 11:07
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Last one was received the following day for 02165, as was the Brexit one which [redacted] sent up Friday and approved am today. Most likely tomorrow we will receive a response but possible today. [redacted] could call PO and ask however and say he has been in touch again?
[redacted]

From: [redacted]
Sent: 22 October 2018 11:04
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Can we go back and let Mr McEnaney know that his response will be with him today?

[redacted]

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

From: [redacted]
Sent: 22 October 2018 09:49
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

Hi [redacted]
Mr McEnaney has been in touch asking when he will expect his other FOI response. It was sent to SPADs on Friday, just been approved and now it will need to go to DFM also.

Are you content we respond with:

Apologies for the delay. We expect to be in a position to release the second FOI early this week.

I suspect this won't hold him back from asking what the delay is again but it may give time for DFM to approve and us have this out today/tomorrow ?

[redacted]

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:53
To: [redacted]
Subject: FW: Line to take re delayed FOI responses

From: [redacted]
Sent: 22 October 2018 12:47
To: [redacted]
Subject: FW: Line to take re delayed FOI responses

Just FYI

[redacted]

~~[redacted] | Head of Communications | Education Scotland | Fochlam Alba~~

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

From: [redacted] On Behalf Of Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 19 October 2018 15:38
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [redacted]; News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [redacted]
Subject: RE: Line to take re delayed FOI responses

[redacted]

DFM has cleared this.

Thanks
[redacted]

[redacted] | Private Secretary 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]

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: 19 October 2018 15:11

To: Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>

Cc: Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>; [redacted] News Desk <Newsdesk@gov.scot>; Communications DFM & Education <CommunicationsDFM&Education@gov.scot>; [redacted]

Subject: Line to take re delayed FOI responses

DFM,

We have prepared a line to take in case of enquiries regarding the delayed response to Mr McEnaney's FOI requests. Can you please let me know if you are content to clear the statement below?

Many thanks,
[redacted]

An Education Scotland spokesperson said:

'Education Scotland has apologised to Mr McEnaney for the unacceptable delay in responding to his FOI requests. This was as a result of the volume of material to be searched but also due to a change in redaction processes which brought technological issues.'

[redacted] | Head of Communications | Education Scotland | Fòghlam Alba

Tel: [redacted]

Mob: [redacted]

Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:52
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

From: [redacted]
Sent: 22 October 2018 16:54
To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Fair enough – at least we have a proper indication of an approval timeline ☺
Thanks for calling and getting confirmation [redacted]
Cheers
[redacted]

From: [redacted]
Sent: 22 October 2018 16:52
To: [redacted]
Cc: [redacted]; PS/Education Scotland
<ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

She said not to expect a response first thing in the morning, it will be more likely about 10:30 by time DFM manages to check over the FOI

From: [redacted]
Sent: 22 October 2018 16:46
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Good – on that basis I think we wait until 11 then have a think again if nothing received ☺
Hopefully it will be sent out by then!
[redacted]

From: [redacted]
Sent: 22 October 2018 16:41
To: [redacted]
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request - Education Scotland FOI request FOI_18_02165

Hello

I've called and spoken to PO who have advised we should get a response back tomorrow morning.

[redacted]

[redacted - out of scope]

[redacted]

[redacted] on behalf of PS/Education Scotland
07 December 2018 15:52
From: [redacted]
Sent: FW: gathered timelines
To:
Subject:

From: [redacted]
Sent: 22 October 2018 17:45
To: [redacted]
Subject: RE: gathered timelines



Updated 22
October 2018 W...

Hello

I've updated the timeline, just to include more details of the timeline from when the request was registered until the docs were originally redacted. I've also updated from 16 October re: the sensitive document for 02164 until today.

Thanks
[redacted]

From: [redacted]
Sent: 18 October 2018 16:55
To: [redacted]
Cc: [redacted]
Subject: gathered timelines

Hi folks

I have gathered up a timeline so we can analyse and create an internal lessons learnt doc - learning from this experience going forward.

[redacted] can you look over and if you feel I have missed any pertinent points or important communications then add them in and recirculate.
If you are still awaiting info internally regarding the one possible sensitive doc then add that in or where you are now up to.

[redacted]
I believe we need to make a response to DFM email regarding a request about what caused the delay - hoping that this info for our internal forthcoming CPD session may assist with that once

complete. Not sure if a submission is required or not as they usually go up with the DFM request for approval on looking at the guidance. Perhaps an email to say we will send a submission when both FOI's are completed or when 02164 goes up for approval ? Janie or Gayle may be the best to advise as most recent submissions are from them ☺

Happy to discuss with you although ERDM does close at 5 tonight so perhaps tomorrow (and possibly we can release one FOI hopefully then!)

Kind regards
[redacted]

<< File: Whole time line for FOI requests.docx >>

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:52
To: [redacted]
Subject: FW: FOI & EIRS UPDATE: 2 October 2018

From: [redacted]
Sent: 23 October 2018 11:48
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Subject: RE: FOI & EIRS UPDATE: 2 October 2018

[redacted]

Apologies for the delayed response. We have been working on the FOIs and gathering a timeline so that we can explain the delay. Here is our response ...

DFM,

You had asked for an explanation as to the reasons for the delayed response to Mr McEnaney's FOI requests.

There has been a significant amount of liaison between Education Scotland and the FOI unit and some advice given by SpAds.

The following is a breakdown of events.

Mr McEnaney originally submitted an FOI request on 18/7 /18 and Education Scotland responded on 09/08/18 that the request breached the cost limit.

Mr McEnaney then submitted two subsequent FOI requests, on 10/08/18, splitting the original into two requests to bring each of them under the cost limit.

On 13/08/18, we sought guidance from the FOI Unit who confirmed on 14/08/18 that this would reduce the cost. We then sent an acknowledgement for each of the FOIs to Mr McEnaney.

On 30/08/18, our proposed responses were sent to SpAds PO for comment. After an initial query from SpAds we resent requests for approval on 04/09/18.

We contacted SpAds PO for an update several times before contacting Mr McEnaney on 07/09/18 to advise him that the response to his request would be late and apologising for the delay. Mr McEnaney responded two days later asking if the delay was because of the volume of materials collated or because the requests are with SpAds or Ministers for clearance. He then chased for a response to his question the following day.

We chased SpAds PO for an answer on 11/09/18, saying that we would response with the positon at the end of the day. We contacted Mr McEnaney at close of play to say the delay was because of the volume of materials involved and that responses were now with SpAds.

Mr McEnaney reminded us another week had passed on 18/09/18 and also contacted the Central Enquiry Unit to chase.

We received comments back from SpAds on Saturday 22/09 and Monday 24/09 was a public holiday in Glasgow. Updated responses were sent to SpAds on 25 and 26 September.

On 04/10/18, the FOI Unit offered us assistance to expedite matters.

On 05/10/19, SpAds said they were content subject to comment from the FOI unit.

Between 05/10/18 and 17/10/18 there was liaison between Education Scotland, the FOI Unit and SpAds about various issues around what is ruled out-of-scope and Education Scotland's method of redaction by using black lines. This necessitated in a significant piece of work to re-redact all of the information to be released.

On 17/10/18, we sent the revised responses to you (copying in SpAds) for clearance which was received last week for 02165. This response has been issued to Mr McEnaney.

Mr McEnaney has chased for the response for 02164. We are responding that we hope to send this shortly.

We have a line prepared which you have signed off:

An Education Scotland spokesperson said:

'Education Scotland has apologised to Mr McEnaney for the unacceptable delay in responding to his FOI requests. This was as a result of the volume of material to be searched but also due to a change in redaction processes which brought technological issues.'

Please let me know if there is anything further you would like to know or if I can help in any other way.

Best regards,
[redacted]

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2

Web: 8DU <https://www.education.gov.scot/>

[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:51
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

From: [redacted]
Sent: 23 October 2018 14:13
To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: RE: FOI request -Education Scotland FOI request FOI_18_02165

Hi [redacted]
We are trying to get in touch with someone from DFM PO so they can either release or inform us of an actual time to give Mr M.
Will be back in touch asap.
[redacted]

From: PS/Education Scotland
Sent: 23 October 2018 14:10
To: [redacted]
Subject: RE: FOI request -Education Scotland FOI request FOI_18_02165

Hi

Can someone send me email text please.

Many thanks / Mòran taing.

[redacted] | Corporate Support Administrator | Education Scotland | Foghlam Alba

Tel: [redacted]

Address: Denholm House, Almondvale Way, Livingston EH54 6GA

Web: www.education.gov.scot

From: [redacted]
Sent: 23 October 2018 13:54
To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted]
Subject: RE: FOI request -Education Scotland FOI request FOI_18_02165

Can we please respond to say that we expect to issue this shortly?

[redacted]X

[redacted] | Head of Communications | Education Scotland | Foghlam Alba

Tel: [redacted]
Mob: [redacted]
Address: The Optima, 58 Robertson Street, Glasgow, G2 8DU

Web: <https://www.education.gov.scot/>

From: PS/Education Scotland
Sent: 23 October 2018 12:39
To: [redacted]

Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165
Importance: High

From: James McEnaney <jmccmedia@gmail.com>
Sent: 23 October 2018 12:33
To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: Re: FOI request - Education Scotland FOI request FOI_18_02165

Good afternoon.

I have **still** not received a response to the 2nd of my FOI requests and regard this as completely unacceptable. You have issued the material requested from Jan 2017 to present but not from Jan 2016 - Jan 2017. I have received no information as to why one of them has been answered (well past the legal deadline) while the other remains outstanding. Could you please advise me why Education Scotland is simply refusing to respond to a completely valid, legal request for information?

James McEnaney

[redacted- out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent: 07 December 2018 15:50
To: [redacted]
Subject: FW: For Urgent approval: McEnaney FOI 18/02164

From: [redacted] **On Behalf Of** Deputy First Minister and Cabinet Secretary for Education and Skills
Sent: 23 October 2018 14:25
To: [redacted]; Deputy First Minister and Cabinet Secretary for Education and Skills <DFMCSE@gov.scot>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>; [redacted] Gorman G (Gayle) <Gayle.Gorman@educationscotland.gsi.gov.uk>
Subject: RE: For Urgent approval: McEnaney FOI 18/02164

Hi [redacted]

DFM is content for the response to issue.

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] | E: DFMCSE@gov.scot

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[redacted - out of scope]

[redacted]

From: [redacted] on behalf of PS/Education Scotland
Sent:
To: 07 December 2018 15:49
Subject: [redacted]
FW: FOI to PUBLISH -FOI/18/02164
Follow Up Flag:
Flag Status: Follow up
Flagged

From: [redacted]
Sent: 24 October 2018 12:34
To: Freedom of Information <foi@gov.scot>
Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: FOI to PUBLISH - FOI/18/02164

Hello

Please find below FOI for publishing.

Thanks
[redacted]

From: PS/Education Scotland
Sent: 23 October 2018 14:44
To: James McEnaney <jmccmedia@gmail.com>
Subject: FOI request - Education Scotland FOI request FOI/18/02164

Dear Mr McEnaney

Please see attached our response to your Freedom of Information request, FOI/18/02164.

(1) Response	 FOI Request - FOI_18_02164 - J...
(2) Redacted emails	 FINAL Updated FOI 01264 docu...
(3) Documents embedded in redacted emails at (2)	 FINAL 22 October 2018 foi 18 0...

Regards.

Regards.

Official Correspondence Unit | Education Scotland | Foghlam Alba

Tel: [redacted]

Web: www.education.gov.scot

[redacted - out of scope]

[redacted]

From: [redacted]
Sent: 07 December 2018 15:32
To: [redacted]
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

From: [redacted]
Sent: 24 October 2018 12:36
To: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>
Subject: FW: FOI request - Education Scotland FOI request FOI_18_02165

For info – 02165 was sent to [redacted] from the FOI unit yesterday as she called looking for the documents so they could be published, thanks [redacted]

From: [redacted]
Sent: 23 October 2018 15:22
To: [redacted] **Subject:** RE: FOI request - Education Scotland FOI request FOI_18_02165

Wonderful.

Thank you.

Regards,

[redacted]

From: [redacted]
Sent: 23 October 2018 15:19
To: [redacted]
Subject: FOI request - Education Scotland FOI request FOI_18_02165

Hi [redacted]

Here is the response for FOI/18/02165.

Thanks
[redacted]

From: [redacted] On Behalf Of PS/Education Scotland
Sent: 19 October 2018 12:20
To: jmcmedia@gmail.com

Cc: PS/Education Scotland <ps/educationscotland@educationscotland.gsi.gov.uk>

Subject: FOI request - Education Scotland FOI request FOI_18_02165

Dear Mr McEnaney

Please see attached our response to your Freedom of Information request, FOI/18/02165.

(1) Response	<< File: FINAL - Doc 1 c HNI Inspected school list FOI_16_02169 - unredacted.pdf >>
(2) Annex A	<< File: FINAL - Doc 1 b Annex B FOI_16_02169 - unredacted.pdf >>
(3) Redacted emails	<< File: FINAL - redacted emails.pdf >>
(4) Documents embedded in redacted emails t (3) - unredacted	<< File: FINAL - Annex A - Links to published FOI responses.pdf >> << File: FINAL - Doc 4 b List of foreign travel expenses previously redacted.pdf >> << File: FINAL - doc 6 b List of travel expenses Updated info previously redact....pdf >> << File: FINAL - 02165 - Doc 1A (redacted).pdf >>
(5) Documents embedded in redacted emails at (3) - redacted	<< File: FINAL - 02165 - Doc 4A (redacted).pdf >> << File: FINAL - 02165 - Doc 6A (redacted).pdf >> << File: FINAL - 02165 - Doc 8A (redacted).pdf >> << File: FINAL - 02165 - Doc 10A (redacted).pdf >> << File: FINAL - 02165 - Doc 20A (redacted).pdf >> << File: FINAL - 02165 - Doc 20B (redacted).pdf >> << File: FINAL - 02165 - Doc 31A (redacted).pdf >> << File: FOI Request - FOI_18_02165 - James McEnaney - response - October 2018.pdf >>

Regards.

Official Correspondence Unit | Education Scotland | Foghlam Alba

Tel: [redacted]

Web: www.education.gov.scot

[redacted- out of scope]