

From: McConnell J (James) (HR)

Sent: 28 September 2018 10:43

To: [REDACTED]

Subject: RE: Further FOIs from David Bateman

All

Please find attached for clearance a proposed response to the second of three David Bateman FOIs (the first on whistleblowing cases was covered in the correspondence below).

[REDACTED] has confirmed that she is content with the application of exemptions in this case.

The third FOI will require us to provide some data in the response and [REDACTED] in People Directorate are currently working on this. We will come back to the group with a proposed response in due course. For completeness and ease of reference the text of the third request (response to be drafted) is copied and pasted below:

“Details of any report of disputes between Scottish Government officials including any meetings, mediation, reasons for the dispute and resolutions. Information should include the number of disputes and mediations in 2017-18. “

James

David Bateman

By email

[Davidbateman13@gmail.com]

Our ref: FOI/18/03175

31 December 2018

Dear Mr Bateman

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

Thank you for your request for a review of FOI/18/03175 dated 3 December 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

I'd like to request a review of this response please.

I'd like the review to establish if the redaction is suitable in the email dated 28 September 2018 at 10.43am.

Response to your request

I have now completed my review of our response to your above request under the Freedom of Information (Scotland) Act 2002 (FOISA). I can understand why my colleague redacted the e-mail dated 28 September 2018 at 10.43am as it was considered out of scope in relation to your request. However having considered the content of the e-mail, I have concluded the e-mail can be released, although names remain redacted. The content of the e-mail in question is attached at **Annex A**.

Right to appeal

If you are unhappy with the outcome of this review you have the right to appeal to the Scottish Information Commissioner about our decision within 6 months of receiving this letter. Information on how to make an appeal, along with an application form, is available on the Commissioner's website at:

<http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>. You can also contact the Commissioner at:

The Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

E-mail: enquiries@itspublicknowledge.info
Telephone: 01334 464610

Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

Yours sincerely

Lee A Thorburn
Head of Resourcing Policy



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df



David Bateman

By email

Our ref: FOI/18/03175

27 November 2018

Dear Mr Bateman

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

Thank you for your request of 30 October 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request

In your request you have asked for the following information:

Any correspondence (emails, letters, phone calls, handwritten notes or any other documents) between the lead official on FOI request 18/02676 and/or Scottish Government ministers and/or the SG FOI Unit and/or special advisers regarding the response to that FOI request.

Information should include: a detailed timeline (with dates) of when the lead official contacted ministers/special advisers (and vice versa); any notes or comments or suggestions offered by ministers or special advisers to the lead official; any input from the SG FOI Unit; any advice or comments from ministers/spads rejected by the lead official; any advice or comments from ministers/spads accepted by the lead official; any correspondence (as defined previously) on the use of exemptions; any correspondence (as defined previously) on material to be redacted; any information on delays to the FOI response; any information on who received the FOI to clear, when they responded and what they said; and any information on delays to the FOI response.

Response to your request

The information you have requested is shown at the Annex to this letter. You will wish to note that information considered to be outwith the scope of your request has been redacted.

Your right to request a review

If you are unhappy with this response to your request, you may ask us to carry out an internal review of the response, by writing to Nicola Richards, E1 Spur, Saughton House, Broomhouse Drive, Edinburgh, EH11 3XD. Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result within 20 working days from the date when we receive your review request.

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

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

Your sincerely

James McConnell
Head of Employee Relations, Reward and HR Policy

ANNEX

From: Lloyd E (Elizabeth)
Sent: 30 September 2018 18:07
To: McConnell J (James) (HR)

[Redacted email body content]

Subject: RE: Further FOIs from David Bateman

No comments from me

Liz

Elizabeth Lloyd
Chief of Staff to the First Minister
St Andrew's House
Regent Road
Edinburgh EH1 3DG
Tel: [Redacted]
Mobile: [Redacted]

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

From: McConnell J (James) (HR)
Sent: 28 September 2018 10:43

To: [Redacted]; Lloyd E (Elizabeth) [Redacted]
Cc: [Redacted]

Subject: RE: Further FOIs from David Bateman

All

Please find attached for clearance a proposed response to the second of three David Bateman FOIs [Redacted]

[Redacted] from SGLD has confirmed that she is content with the application of exemptions in this case.

[Redacted]

[Redacted]

[Redacted]

James