

Annex A

Core Directorates of the Scottish Government:

- Director-General Constitution and External Affairs
- Director-General Economy
- Director-General Education, Communities and Justice
- Director-General Health and Social Care
- Director-General Organisational Development and Operations
- Director-General Scottish Exchequer

Annex B

Information provided in response to part 3 of your request

Part 3 of your request:

In your request you have asked for all correspondence (including emails, attachments, typed or handwritten notes, letters, notes/records of phone calls, texts or instant messages, minutes of meetings, briefings or otherwise) between Fergus Ewing, special advisers, civil servants, officials and/or media/press team on the subject of bullying, harassment or abuse allegations against Fergus Ewing or media coverage of those allegations.

Information provided:

1. Email exchange (names and identifiers redacted)

From: REDACTED
Sent: 20 February 2020 09:26
To: REDACTED
Cc: REDACTED
Subject: RE: Newsdesk update - FINAL - Wednesday 19 Feb 2020

Colleagues,

This is being handled elsewhere – no need for any further work on this.

Thanks,

REDACTED

From: REDACTED
Sent: 20 February 2020 09:17
To: REDACTED
Cc: REDACTED
Subject: RE: Newsdesk update - FINAL - Wednesday 19 Feb 2020

Hi REDACTED

We weren't approached yesterday, as far as I'm aware. Copying in REDACTED who was news manager and REDACTED in case any calls on this for duty?

Thanks

REDACTED

From: REDACTED
Sent: 20 February 2020 08:30
To: News Desk <REDACTED>
Cc: REDACTED
Subject: FW: Newsdesk update - FINAL - Wednesday 19 Feb 2020
Importance: High

Folks,

<https://news.sky.com/story/fergus-ewing-scottish-government-cabinet-minister-faces-fresh-bullying-claims-11938127>

Were we approached about this yesterday, or did the call go somewhere else? I wasn't aware until this morning. Really keen to get the full line ASAP, please, as Mr Ewing is beginning an event right now and Ms Gougeon is out shortly.

REDACTED – is someone at Marine providing a quick FMQ brief on this?

Thanks,

REDACTED

2. Email exchange (names and identifiers redacted)

From: REDACTED
Sent: 20 February 2020 09:08

To: REDACTED
Subject: RE: Newsdesk update - FINAL - Wednesday 19 Feb 2020

I'm not sure there's a formal one as such but I've been told the issue generally is being progressed elsewhere so for now we've to stand down.

Thanks,

REDACTED

From: REDACTED
Sent: 20 February 2020 08:58
To: REDACTED
Subject: RE: Newsdesk update - FINAL - Wednesday 19 Feb 2020

Hi sorry just picking this up - do you know who is working on the fmq brief?

Sent with BlackBerry Work
(www.blackberry.com)

From: REDACTED
Date: Thursday, 20 Feb 2020, 8:48 am
To: REDACTED
Cc: REDACTED **Subject:** RE: Newsdesk update - FINAL - Wednesday 19 Feb 2020

Folks,

Please stand down on this – no need to look at an FMQ brief. This is being handled by other colleagues so no need to have two parallel tracks of work ongoing.

Thanks,

REDACTED

From: REDACTED
Sent: 20 February 2020 08:30
To: News Desk REDACTED
Cc: REDACTED
Subject: FW: Newsdesk update - FINAL - Wednesday 19 Feb 2020
Importance: High

Folks,

<https://news.sky.com/story/fergus-ewing-scottish-government-cabinet-minister-faces-fresh-bullying-claims-11938127>

Were we approached about this yesterday, or did the call go somewhere else? I wasn't aware until this morning. Really keen to get the full line ASAP, please, as Mr Ewing is beginning an event right now and Ms Gougeon is out shortly.

REDACTED – is someone at Marine providing a quick FMQ brief on this?

Thanks,

REDACTED

3. Email exchange (names and identifiers redacted)

From: REDACTED

Sent: 18 February 2020 13:31

To: REDACTED

Subject: Re: TEST

Hello REDACTED,

I am pulling together a report, for publication by Sky News, regarding a complaint of bullying made against Government minister Fergus Ewing.

This complaint was made by staff at Marine Scotland in Edinburgh and submitted to Scottish Government officials last year.

In this context, I write to ask the following questions:

1. What steps has the Scottish Government taken as a result of the complaint?
2. Has Fergus Ewing been questioned by Scottish Government officials, or staff, in connection with the complaint? If so, what was the outcome of those enquiries?
3. Has the First Minister been aware of this matter?
4. The complaint in question was made several months ago. Why has there been no resolution to the matter thus far?

Kind regards

REDACTED

4. Email exchange (names and identifiers redacted)

From: REDACTED
Sent: 20 February 2020 12:23
To: REDACTED
Subject: Link to Sky story

<https://news.sky.com/story/fergus-ewing-scottish-government-cabinet-minister-faces-fresh-bullying-claims-11938127>

5. Email exchange (partial redaction, some names and identifiers redacted)

REDACTED

From: Director Communications, Ministerial Support & Facilities <DirectorCMSF@gov.scot>
Sent: 18 February 2020 14:25
To: Richards N (Nicola) <Nicola.Richards@gov.scot>
Cc: Director Communications, Ministerial Support & Facilities <DirectorCMSF@gov.scot>
Subject: FW: Media enquiry - Marine Scotland bullying - Sky

Hi Nicky

Further to your email, please see below the email that Barbara received in her box from REDACTED.

If I can offer further assistance, please do not hesitate to contact me.

Kind regards

REDACTED

From: REDACTED
Sent: 18 February 2020 14:16
To: Director Communications, Ministerial Support & Facilities <DirectorCMSF@gov.scot>
Subject: Media enquiry - Marine Scotland bullying - Sky

Hello REDACTED,

Please do pass this to Barbara – I think she'll need to be aware.

Best wishes,

REDACTED

From: REDACTED

Sent: 18 February 2020 13:31

To: REDACTED

Subject: Re: TEST

Hello REDACTED,

I am pulling together a report, for publication by Sky News, regarding a complaint of bullying made against Government minister Fergus Ewing.

This complaint was made by staff at Marine Scotland in Edinburgh and submitted to Scottish Government officials last year.

In this context, I write to ask the following questions:

1. What steps has the Scottish Government taken as a result of the complaint?
2. Has Fergus Ewing been questioned by Scottish Government officials, or staff, in connection with the complaint? If so, what was the outcome of those enquiries?
3. Has the First Minister been aware of this matter?
4. The complaint in question was made several months ago. Why has there been no resolution to the matter thus far?

Kind regards

REDACTED

On 18 Feb 2020, at 13:23, REDACTED wrote:

Yes thanks,

L

REDACTED

From: REDACTED <REDACTED>

Sent: 18 February 2020 13:12

To: <REDACTED>

Subject: TEST

Hi REDACTED,

Just checking I've got the correct address?

REDACTED

6. Email exchange

From: MacInnes J (John) <John.MacInnes@gov.scot>
Sent: 20 February 2020 15:38
To: Higgins K (Kate) <Kate.Higgins@gov.scot>; Lloyd E (Elizabeth) <Elizabeth.Lloyd@gov.scot>; Nicolson S (Stuart) Special Adviser <Stuart.Nicolson@gov.scot>; Ingebrigtsen R (Ross) <Ross.Ingebrigtsen@gov.scot>; McAllister C (Colin) <Colin.McAllister@gov.scot>
Subject: PA - EWING BULLYING CLAIMS KNOWN TO FIRST MINISTER DURING CABINET RESHUFFLE

From: REDACTION
Sent: 20 February 2020 15:14:05 (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: REDACTION
Subject: Sturgeon

EWING BULLYING CLAIMS KNOWN TO FIRST MINISTER DURING CABINET RESHUFFLE

PA
SCOTLAND Ewing
20-Feb-2020 15:13:02
By Tom Eden and Craig Paton, PA Scotland (Adds Tory comment in last four pars)

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Nicola Sturgeon knew about bullying allegations against Fergus Ewing when she gave him an expanded ministerial role in last week's Cabinet reshuffle, her spokesman has said.

The Rural Economy and Tourism Secretary is subject to an "informal" investigation into claims he bullied civil servants, allegations Mr Ewing said he "completely" rejects.

The First Minister's spokesman confirmed Ms Sturgeon was aware Mr Ewing was being investigated when she added the tourism brief to his rural economy role.

Asked about Ms Sturgeon's decision in light of the allegations, her spokesman said: "The First Minister proceeded on the basis she did at the reshuffle so clearly she wouldn't do anything she regarded as inappropriate".

He added: "The FM is aware - has been aware - that there is a process under way.

"She carried out the reshuffle - or the mini-reshuffle - in recent days on the basis that she did in terms of the ministerial responsibilities being divided along the lines they were and that was entirely appropriate."

Flanked by Deputy First Minister John Swinney following FMQs, Mr Ewing said: "A process is under way and that is entirely right and proper when such allegations are made.

"That process is at an early stage. I will make no further comment whilst that process is ongoing."

Sky News reported the allegations were made at the end of last year when details were passed to senior managers at Marine Scotland in Edinburgh, although the Scottish Government has declined to give further details.

A spokesman for the Scottish Government said: "A process is under way - as is right and proper whenever such allegations are made - and is at an early, informal stage."

Mr Ewing was subject to similar accusations in 2018, when he was forced to apologise after a Government official alleged bullying.

He said at the time he could be "forthright" in the way he expressed his opinions.

Scottish Conservative deputy leader Annie Wells described the Scottish Government as "morally and politically bankrupt".

She added: "Essentially, when confronted with this information about Fergus Ewing, Nicola Sturgeon handed him a promotion.

"Given her Government's shambolic handling of the Derek Mackay scandal, there will be huge pressure to get this one right.

"So far that's certainly not been the case."

7. Fairness at Work Policy Process 6.5.5 – Bullying complaints about Ministers by SG Main Employees

Annex C

Email sent to Marine Scotland staff in May 2018

To all Marine Scotland staff,

You will be aware from media reporting of serious allegations made by a member of staff in our Scrabster office.

These allegations were already being investigated by the Scottish Government when they were reported by the media last week. You will appreciate that it is not appropriate for me to comment on the specific complaints other than to be clear that there is no place for any form of bullying and harassment in Marine Scotland or across the Scottish Government as a whole. The Permanent Secretary made this clear by writing to staff at the end of last year in response to public concern about harassment in wider society – a view strongly echoed by the First Minister at FMQs last Thursday.

The First Minister also announced that she had asked the Permanent Secretary to review the organisation's response to these allegations and the conduct of the investigation. That work is being led by Sarah Davidson, DG Organisational Development and Operations and will be completed by the end of June.

It is also important that as well as fully investigating and acting on the specific allegations we make sure that we identify and address behaviours that go against the positive respectful culture that we are building in Marine Scotland. We all have a part to play in that and I want to encourage you to talk to each other and in your teams about the kind of organisation we want to be – and to talk to me about what you are learning.

We have already started a programme of work to help bring about positive cultural and organisational change across a number of areas of our work. As you know, this incorporates a focus on diversity, including staff behaviours. I have also been working with HR colleagues over the last year to ensure that discrimination, bullying and harassment is not tolerated in any form. We will work with HR and others to ensure that we learn from these experiences.

In addition a second part of our response is to make sure that everyone in Marine Scotland knows that

if they raise any issue or make a complaint they will be taken seriously and that their concern will be addressed sensitively and with discretion. If you are concerned about any behaviour you have witnessed or about the way that you have been treated and wish to discuss that further then you can speak in confidence to our People Advice and Wellbeing Counsellor [redacted] or our People Advice and Wellbeing Manager [redacted]. Gillian Russell, SG Director for Safer Communities, has offered to be a confidential sounding board as someone who is not connected in any way to the investigation or to the work of Marine Scotland more generally. To contact Gillian either text her BlackBerry [redacted] or send an email marked private and confidential.

More generally the Employee Assistance Programme (EAP) can provide emotional and practical support on a range of issues through trained welfare and counselling practitioners offering confidential, independent and unbiased information and guidance. Call free on 0800 587 5670. The helpline is open 24 hours a day, 365 days a year. The EAP can refer staff to 1-2-1 counselling support, this would be accessed through the member of staff calling the EAP helpline.

Graham Black

Email to Marine Scotland line managers in July 2018

Message to All Line Managers

There has been recent media coverage relating to a Marine Scotland employee. As my note of 30th May made clear, while I cannot comment on the specifics of the case let me reiterate that there is no place for any form of bullying or harassment in Marine Scotland or across the Scottish Government as a whole. If any individual has any concerns then I encourage them to speak confidentially to their managers, or others in their reporting chain.

Regarding the handling of this specific case let me reassure you it is being managed confidentially in line with our policies and procedures. The fact that it is being reported in the media to some extent, is not the responsibility of the Scottish Government and does not in any way affect the confidential nature of the case, or how it will be managed internally. We are working closely with HR colleagues to address the issues raised. We appreciate that staff may be interested in the case, however, in order to ensure the issues are treated with confidentiality from within the Scottish Government, it would be helpful if staff could avoid discussing or speculating about the issue. Line Managers are encouraged to make staff aware of the importance of this and to ensure this is adhered to. If staff wish to speak to their managers directly on a confidential basis, then this should be encouraged, but the importance of treating the issue as confidential should be reinforced.

Graham Black
Director Marine Scotland