
From: [Private Secretary 1] <[Redacted]@gov.scot>

Sent: 17 November 2017 15:52

To: Hynd JS (James) <[Redacted]@gov.scot>

Subject: RE: Private

Importance: High

Sensitivity: Private

Some further changes following discussion with Liz – anything further from you before I put it to Perm Sec?

[Private Secretary 1]



Content of attachment below

From: Hynd JS (James)

Sent: 17 November 2017 11:47

To: [Private Secretary 1]

Subject: RE: Private

Sensitivity: Private

[Private Secretary 1]

Thanks. Some quick thoughts as attached.

<< File: Permanent Secretary Review Commision 17 November.docx >>

James

James Hynd
Head of Cabinet, Parliament and Governance Division
[Redacted]

From: [Private Secretary 1]

Sent: 17 November 2017 11:13

To: Hynd JS (James)

Subject: Private
Sensitivity: Private

Grateful for any thoughts – the relevant extracts from weekly notes are also there for info.

[Private Secretary 1]

Permanent Secretary

At Cabinet on 31 October I commissioned a review of the Scottish Government's policies and processes on sexual harassment in light of justifiable concern about misconduct across public life. I know that work is moving forward quickly and that you have already put arrangements in place to ensure that any member of staff who has concerns about the way they have been treated has the support and advice they need. The review is also considering how best to build on the work being done to create an inclusive and respectful culture across the organisation. I wanted to make clear that the arrangements you are putting in place to address any complaints from staff should include any complaint received about the conduct of current or former Ministers in the Scottish Government. I would be grateful for advice on this point in particular as part of the review you are leading.

First Minister
November 2017

Weekly Note – 3 Nov

As agreed at Cabinet I have commissioned a **review of our policies and processes on sexual harassment**, which will be carried out through an acceleration of work already underway, and will consider options such as an independent contact point. As we discussed, this is about an inclusive culture and the behaviours of individuals as much as policies and process. It resonates with SG2020 programme (*creating the kind of organisation we want, and need, to be*) and reflects issues which arose at the Race Equality Network seminar last week. I have written to all staff on the issue, including ensuring sure that we all treat others with respect and dignity and feeling empowered to call it out when that doesn't happen.

Weekly Note – 10 Nov

As per your request at Cabinet, work continues on the **review of our policies and processes on sexual harassment**. In addition I am encouraging individuals to come forward with any concerns or experiences which they believe sit at odds with SG expectations of conduct at work. I wrote to all staff in this vein last week, and I shall issue another letter on Monday re-iterating our commitment to listen and engage and to act as appropriate, and setting out where to go for support and guidance. It will

include the offer of an appointed confidante - Gillian Russell, Director Safer Communities. In addition to providing an empathetic and confidential ear, Gillian will support the individual in considering the outcomes they seek - validation and recognition of their experience and/or taking it further. If an individual decides to record a complaint we need to have a process ready for how such an investigation would be undertaken. I shall have an outline of this early next week and will share it with you. We agreed to keep in touch on these matters.

Weekly Note – 17 Nov DRAFT

We are due to meet next Tuesday and I'd like to take the opportunity to share with you the outline of the process for the approach to be taken into any concern raised or complaint received of **sexual harassment**.

Contents of attachment below:

Permanent Secretary

At Cabinet on 31 October I asked you to review the Scottish Government's policies and processes on sexual harassment so that we could be reassured that we have effective arrangements in place in light of justifiable concern about the recent examples of misconduct across public life.

You have kept me closely briefed on these issues and I know that work is moving forward quickly and that you have already put arrangements in place to ensure that any member of staff who has concerns about the way they have been treated has the support and advice they need. You have also advised me that the review is considering how best to build on the work already being done to create an inclusive and respectful culture across the organisation.

As is clear from the continued media focus on cases of sexual harassment, in many instances, people are now making complaints regarding actions that took place some time ago. I wanted to make clear that in taking forward your review, and the new arrangements being developed, you should not be constrained by the passage of time. I would like you to consider ways in which we are able to address concerns from staff – should any be raised - about the conduct of current Scottish Government Ministers and also former Ministers from previous administrations regardless of party. I appreciate that the conduct of former Ministers would not be covered by the Ministerial Code, but I would be grateful for confirmation that this particular aspect is being included as part of the review you are leading.

As you complete your review I believe it would be helpful for you to update Cabinet on the conclusions you have reached and the actions the Scottish Government has taken to provide reassurance that policies and processes within the civil service are both robust and provide the necessary support to individuals who may wish to raise concerns.

First Minister
November 2017