

**From:** Hynd JS (James) <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>

**Sent:** 13 November 2017 10:31

**To:** Richards N (Nicola) <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted Lawyer 1] <[\[Redacted Lawyer 1\]@gov.scot](mailto:[Redacted Lawyer 1]@gov.scot)>; [Redacted Head of Branch, People Directorate 2] <[\[Redacted Head of Branch, People Directorate 2\]@gov.scot](mailto:[Redacted Head of Branch, People Directorate 2]@gov.scot)>

**Cc:** Mackinnon J (Judith) <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>

**Subject:** RE: Process for former member of staff

Nicky

If the complaint from a former member of staff was about a serving Minister then the Ministerial Code would be engaged directly, in a way that it isn't in the proposed new process.

We would need to alert the FM to the fact that a complaint had been received against one of her Ministers and to take her mind about how she wished it to be handled. One option would be for the FM to ask the Permanent Secretary to investigate the complaint, including holding interviews with the serving Minister, the complainant and any witnesses. The outcome of that process would be reported to the FM who would then decide what, if any, action she thought was appropriate under the Code.

James

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

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

[Redacted]

[Redacted 3 Paragraphs]

[Redacted 3 Paragraphs]

[Redacted]  
[Redacted]



[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

SP SGGGHC