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**From:** FDA Convenor <[Redacted]@gov.scot>

**Sent:** 15 November 2017 11:10

**To:** Permanent Secretary <[Redacted]@gov.scot>

**Cc:** DG Organisational Development & Operations <[Redacted]@gov.scot>; Richards N (Nicola) <[Redacted]@gov.scot>; Mackinnon J (Judith) <[Redacted]@gov.scot>; \_\_\_\_\_

[Redacted]@fda.org.uk; Director Communications, Ministerial Support & Facilities <[Redacted]@gov.scot>; [Redacted - Private Secretary 1] <[Redacted - Private Secretary 1]@gov.scot>; [Redacted - Head of Branch, People Directorate 1] <[Redacted - Head of Branch, People Directorate 1]@gov.scot>; Hynd JS (James) <[Redacted]@gov.scot>

**Subject:** RE: Official - Inclusive workplace/Fairness at Work

Dear Leslie

Thank you for your email. We warmly welcome the commitment to work with us/CSGU both in your email, and as set out in your reply to Sir Jeremy. We are a little disappointed that you make no reference however to reminding staff about the policy applying to Ministers and SpAds here (noting you issued an update yesterday to staff). We would encourage you still to do so.

Having a Fairness at Work policy that applies to Ministers and SpAds is something of which we should all rightly be proud, and something that sets us up as being more assiduous than our counterparts down south. I will want to message to members quite clearly that you support that, that Ministers here agree, and that they take it seriously. (Indeed we both know that the policy has been applied successfully recently). I would not want to be in a position where I feel I have to convey any notion that there may be any attempt to water it down. Your commitment and that of the FM to it, and to its promotion, would be appreciated. (I am drafting an Update to members at present and hope to send out this week). The FDA is particularly proud of this and our colleagues nationally are aware (and just a little envious).

I agree that it is for CSGU to engage on this now (they are aware of our correspondence of course). For the sake of clarity, the discussion with [Redacted] and [Redacted] was, as you would anticipate, on a 'without prejudice' basis. The principal that the policy would continue to apply to Ministers was not in issue: we merely discussed whether the policy might be improved procedurally and [Redacted] agreed to draft something up and share. I know he has been very busy, and do not think I have seen anything since that meeting (which was now some time ago).

Given that, you won't be surprised by what I say now: that it will be important to resource this work properly. We are all too aware of the pressures in the People Directorate and elsewhere, to carry out day to day work without the number of additional projects including this, that now require to be worked on. Any commitment to add additional resource to support this work would be welcome.

I look forward to hearing from you and anticipate any further discussion beyond that will be taken up at CSGU.

Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]



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**From:** [Redacted - Private Secretary 2] **On Behalf Of** Permanent Secretary

**Sent:** 13 November 2017 19:04

**To:** FDA Convenor

**Cc:** DG Organisational Development & Operations; Richards N (Nicola); Mackinnon J (Judith); [Redacted]@fda.org.uk; Director Communications, Ministerial Support & Facilities; Permanent Secretary; [Redacted - Private Secretary 1]; [Redacted - Head of Branch, People Directorate 1 ]; Hynd JS (James)

**Subject:** RE: Official - Inclusive workplace/Fairness at Work

[Redacted]

Thank you for your timely messages.

I agree it is important that our procedures refer to a mechanism for raising issues with Ministers. As you will recall, [Private Secretary 1] and [Head of Branch People Directorate 1] had initial discussions with you some time back about refining this reference so that it can dock effectively into the FM's responsibilities under the Ministerial Code.

The outcome from that initial discussion was an agreement to engage the wider CSGU. Given recent developments and the focus on sexual harassment complaints across society, it is essential that we complete that work as part of the general review of our policies and procedures that I agreed with the FM.

To that end, I will ask People Directorate to meet with you and wider CSGU colleagues to discuss both the general review of our policies and procedures and specifically the procedure for dealing with complaints against Ministers.

For your awareness I also attach my reply to Sir Jeremy's letter. As you will see and as you would expect, we have given a very clear commitment to working with the trade unions on reviewing our policies and procedures.

<< File: Letter - Leslie Evans to Sir Jeremy Heywood - Civil Service response to ....pdf >>

Regards

Leslie

Leslie Evans | Permanent Secretary | [Redacted]

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**From:** FDA Convenor  
**Sent:** 10 November 2017 13:19  
**To:** FDA Convenor; Permanent Secretary  
**Cc:** DG Organisational Development & Operations; Richards N (Nicola); Mackinnon J (Judith); [Redacted]@fda.org.uk; Director Communications, Ministerial Support & Facilities  
**Subject:** RE: Official - Inclusive workplace/Fairness at Work

Dear Leslie

<< File: 2017-11-03 Letter from JJH to WMCs re Civil Service response to misconduct....pdf >>

I refer to my previous email and look forward to hearing from you. I am keen to let members know we have raised this issue with you, given its importance to them. (As I mentioned SpAds below, I should have copied Barbara into my original email, and do so now).

You will also have seen the attached letter. We are be very keen to support the work initiated by Sir Jeremy. Again I am keen to alert members to this.

Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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**From:** FDA Convenor  
**Sent:** 06 November 2017 15:20  
**To:** Permanent Secretary  
**Cc:** DG Organisational Development & Operations; Richards N (Nicola); Mackinnon J (Judith); [Redacted]@fda.org.uk  
**Subject:** Official - Inclusive workplace/Fairness at Work

Dear Leslie

The FDA warmly welcomes your strong stand on harassment and supports entirely what you say both in your message to staff last week and additionally on Saltire today. As you say, we in the FDA (as well as the wider CSGU) already work to support members in such circumstances (whether the organisation is aware or not).

You quite rightly say that:

- “We all have an important part to play in creating a positive culture by making sure that we treat others with respect and dignity and by calling it out when that doesn’t happen. This includes challenging unacceptable behaviour, reporting incidents and supporting colleagues, regardless of whether you think the perceived harassment, discrimination or bullying is intentional or unintentional”, and,
- that “My position is clear - there is no place for harassment or discrimination of any kind in the Scottish Government and our commitment to promoting a positive and inclusive workplace is unwavering. We all have the right to go to work and live our lives free of abuse and intimidation”.

We would be keen to see you utilise this opportunity to remind all staff that our Fairness at Work procedure applies to Ministers (and SpAds) and their interactions with civil servants and that they too are covered by your remarks. The fact that Ministers are included in that procedure is a good thing for us here in the SG, and something we should be pleased about (given that we do not believe that to be the case in the wider UK civil service). No doubt it is something about which you will also want to remind the First Minister.

I look forward to hearing from you.  
Kind regards

[Redacted]

[Redacted]

[Redacted]

[Redacted]

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