
From: [Private Secretary 2] <[Redacted]@gov.scot> **On Behalf Of** Permanent Secretary
Sent: 13 November 2017 19:04
To: FDA Convenor <[Redacted]@gov.scot>
Cc: [Redacted] <[Redacted]@gov.scot>; Richards N (Nicola) <[Redacted]@gov.scot>; Mackinnon J (Judith) <[Redacted]@gov.scot>; [Redacted]; Director Communications, Ministerial Support & Facilities <[Redacted]@gov.scot>; Permanent Secretary <[Redacted]@gov.scot>; [Private Secretary 1] <[Redacted]@gov.scot>; [Head of Branch, People Directorate 1] <[Redacted]@gov.scot>; Hynd JS (James) <[Redacted]@gov.scot>
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] in my office and [Head of Branch, People Directorate 1] in People Directorate 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.



Letter - Leslie
Evans to Sir J...

Attachment 1 below

Regards

Leslie

From: FDA Convenor
Sent: 10 November 2017 13:19
To: FDA Convenor; Permanent Secretary
Cc: [Redacted]; Richards N (Nicola); Mackinnon J (Judith); [Redacted]; 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]
[Convenor | FDA Branch | Scottish Government | \[Redacted\]](#)
[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)

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From: FDA Convenor
Sent: 06 November 2017 15:20
To: Permanent Secretary
Cc: [Redacted]; Richards N (Nicola); Mackinnon J (Judith); [Redacted]
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]

Convenor | FDA Branch | Scottish Government | Tel [Redacted]

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Permanent Secretary
Leslie Evans



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Sir Jeremy Heywood KCB CVO
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SW1A 2AS

10 November 2017

CIVIL SERVICE RESPONSE TO MISCONDUCT OR MISBEHAVIOUR

There is no place for discrimination or harassment of any kind, including here in the Scottish Government.

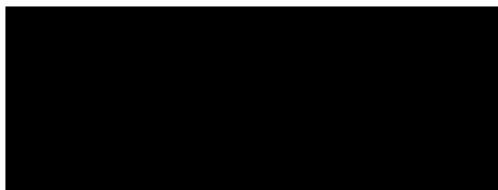
Last week I wrote to all staff outlining our intention to review our policies and processes to check that they are effective and well understood in response to a request by the First Minister. The review will be done carefully but quickly, through an acceleration of work already underway as part of the Scottish Government People Plan. We will work with trade unions given their important role both in supporting individual members and informing the policy review. Everyone must be confident that any issues raised will be handled with care and discretion – so the review will also consider options such as an independent contact point.

Through this letter I invited staff to inform the approach to this review or share concerns about current cultures or behaviours. At the same time I highlighted channels for anyone wishing to raise a complaint and the sources of support available including internal our internal routes including an in-house Counselling and Wellbeing officer and our Employee Assistance Programme.

Effective, well understood policies are only part of the story. This is about culture and behaviour as much as policies and process. In April 2017 we set an equality outcome that we “foster an inclusive workforce culture and value the contribution of all employees of all backgrounds”. Our SG2020 programme is addressing this - creating the kind of organisation we want, and need, to be. It includes a DG leading work to shift our culture in race equality, and a Director and People Directorate official leading work on building positive and inclusive teams, arising from 2016 People Survey data on bullying and harassment. To complement this work, as part of our People plan, we will develop a range of tools, techniques and learning opportunities to support staff and managers to discuss, manage and resolve issues with unacceptable behaviour.



At present the number of formally reported sexual harassment cases is low with less than 5 cases since January 2013. We remain alert, and ready to respond quickly to the needs of our people around the subject of sexual harassment.



Leslie Evans

SP
SGTHC