

Context

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]

‘Upstream’ monitoring and engagement

4. Whatever operating model we decide on, it will need to incorporate an element of “upstream” monitoring and engagement with EU legislative proposals in development. This will need to be based on some form of periodic assessment of developments in the pipeline against the SG’s strategic priorities. This will largely be the lead of SGEUO colleagues, who are considering practical implications of this.

‘Downstream’ monitoring and engagement

5. [REDACTED]
6. Model A, below, sketches out how we might set up a system to manage capturing everything, leaning heavily on [DEXA] resources. Model B, below, sketches out one which focusses solely on strategic priorities. [REDACTED].

Model A – capturing everything

- **Strategic priorities:** [REDACTED].
- **Everything else:** core team in [DEXA], acts as secretariat, and administers a process-drive task to ensure that no EU legislation is accidentally omitted. This involves running regular reports of legal acts which have been published and maintaining a log of our stance on these. The first step will be to undertake an initial sweep through to eliminate any which can easily be identified as reserved or relevant only to the internal functioning of the EU. The secretariat team will allocate all others not so eliminated to a policy lead within SG and ask them to take an initial view on these questions, and if it is devolved and relevant to Scotland, [REDACTED]. This is intended to be light touch, but the secretariat team will still have a role in ensuring consistency of approach and providing constructive challenge to policy teams. Where the initial assessment throws up potential complications, there will be a clear escalation process to ensure that core interests across government are brought in as necessary and that appropriate advice goes to Ministers.

Model B – Strategic priorities only

- **Strategic priorities:** As per model A
- **Everything else:** Not actively monitored from the centre. Decisions left to individual policy areas as to how closely to monitor developments in EU law.

Beyond drafting guidance on decision-making, DEXA core team to provide advice on handling on a reactive basis only.

Pros and cons

	Pros	Cons
Model A	[REDACTED]	[REDACTED]
Model B	[REDACTED]	[REDACTED]