

## FOI SUBMISSION TEMPLATE - Part A - Completed by Casehandler

### FOI REQUEST: SUBMISSION FOR MINISTERIAL DECISION

#### Purpose

1. The Minister is invited to agree that the attached draft response to an information request made under *<the Freedom of Information (Scotland) Act 2002 (FOISA)/the Environmental Information (Scotland) Regulations 2004 (the EIRs)>* should be issued.

#### Priority

2. *<Routine/Urgent/Immediate>*. The 20th day for a response is *<Insert Date>*. However you will be aware of the Scottish Ministers' statutory obligation to comply *<promptly/as soon as possible>*, in terms of *<section.10(1) of FOISA/regulation 5(2) of the EIRs>*.

#### Background

*<insert, in numbered paras, a brief summary of the background to the case including: a) the text of the request, b) the date on which it was received, c) any relevant procedural history e.g. if clarification sought and received, etc. etc. Also insert sufficient background information to set in context the information that has been requested (i.e. what the request is about).>*

#### Reason for seeking Ministerial Decision

3. A Ministerial decision is considered appropriate in this case because:

- there are significant public interest considerations; or
- it raises a complex or novel point which has not previously been considered by the Scottish Information Commissioner

4. *<insert explanation as to why this reason applies.>*

#### Advice from FOI Unit

4. Advice *<has/has not>* been sought from the FOI Unit confirming the technical competence of the recommended option(s) related to disclosure.

#### Discussion

5. *<Insert a summary of relevant points to assist the Minister's consideration>*

#### Recommendation

6. The Minister is invited to agree that the attached draft response be issued.

*<Case Handler>*

*<Title/Division>*

*<Extension>*

## FOI DECISION TEMPLATE - Part B - Completed by official of appropriate seniority

Please respond selecting from the following options:\*

- The Minister has noted the response and agrees that it should be issued **as drafted**
- The Minister has noted the response and has decided that the attached **amended response** should be issued
- The Minister has noted the response and requests further information about:.\*
  - the scope of the request
  - the subject-matter of the request
  - the application of exemption(s) *<specify the relevant exemption>*
  - other FOISA issue *<provide details>*

## FOI SUBMISSION ref no: 202100228802 Part A - Completed by Casehandler

### FOI REQUEST: SUBMISSION FOR OFFICIAL DECISION

To: Adam Reid

#### Purpose

1. You are invited to agree that the attached draft response to an information request made under the Freedom of Information (Scotland) Act 2002 (FOISA) should be issued.

#### Priority

2. *Urgent*. The 20th day for a response is **3 September 2021**. You will be aware of the Scottish Ministers' (the public authority under FOISA) statutory obligation to comply as *soon as possible*, in terms of section.10(1) of FOISA.

#### Background

3. This request relates to a meeting between Mr Hepburn, then Minister for Business Fair Work and Skills and Professor Iain Docherty, Stirling University on 4 September 2021 (the correspondent erroneously states 5 September).
4. The text of the request reads as follows: *"Please can you provide details of the following meeting attended by Minister Jamie Hepburn and Professor Iain Docherty on the 5 September 2020. Details being sought include: Pre meeting briefing(s); Agenda; Venue and list of attendees; Minutes or notes from meeting; and, Post meeting action points. I look forward to your response within 20 working days"*.
5. The request was received on 6 August and the final reply deadline is 3 September 2021.
6. The meeting between Mr Hepburn and Professor Docherty was part of a series of engagements undertaken by economy portfolio ministers following the Scottish Government's response to the Advisory Group on Economic Recovery's final report in June 2021. These meetings were informal and wide-ranging, involving general discussion around the economic impacts of the Covid pandemic, the Scottish Government's response and matters relating to the participants' specialisms. The meeting with Professor Docherty followed this template: there was general discussion about the current state of the economy and a discussion about Professor Docherty's involvement in the Productivity Insights Network (an ESRC funded group of multi-disciplinary researchers focused on generating new insights and ideas around productivity) with whom the Scottish Government was already engaging extensively (a series of seminars with PIN has been ongoing through 2019 to the present).
7. The meeting was conducted by conference call and involved Mr Hepburn, Professor Docherty and Stephen Boyd, an official then working in the Economic Policy and Capability Division of the Scottish Government. There was no formal agenda and, given the wide ranging and informal nature of the call, no minutes were recorded nor were any action points taken. The pre-meeting briefing is available and will be attached to the response with one minor redaction (official's mobile phone number).
8. This case was discussed in detail with an FOI advisor. Colleagues in Strategic Business Engagement provided the pre-meeting briefing. No other searches or engagement were required to respond to this request. I am very confident that no other information is held about this meeting.

### **Reason for seeking decision at Official Level**

9. A decision at official level is considered appropriate in this case because it does not raise:
- significant public interest considerations; or
  - complex or novel points which have not previously been considered by the Scottish Information Commissioner.

### **Advice from FOI Unit**

10. Advice has been sought from the FOI Unit confirming the technical competence of the recommended option(s) related to disclosure.

### **Discussion**

11. This seems a straightforward request and response:
- The request refers to an informal meeting of little import beyond a general discussion around the economic impact of the Covid pandemic – it was one of a series of such meetings.
  - All available information is being released with only two minor redactions.
  - Some of the information requested does not exist e.g. minutes and action points.

### **Recommendation**

12. You are invited to agree that the attached draft response be issued.

**Stephen Boyd**  
**Fair Work and Skills Division**  
**07715 286 886**

## FOI DECISION TEMPLATE - Part B - Completed by official of appropriate seniority

### Auditing, Compliance and Quality

Please select one of the following options (delete as appropriate):

I am satisfied that the response meets all auditing, compliance and quality criteria:

1. I *agree* that the searches template and Statement of Compliance have been saved to the casefile.
2. I *agree* that the searches listed in the searches template are proportionate, reasonable, robust, comprehensive and appropriate to the scope of the request.
3. I *agree* that, to the best of my knowledge, the schedule of documents is accurate, complete and captures all information within the scope of the request.
4. I *agree* that exemptions have not been applied in a restrictive way; have been applied with a presumption in favour of disclosure; and, where appropriate, with due consideration of the public interest.

**OR**

I do not find that the response meets all auditing, compliance and quality criteria. Before making a decision on issuing the response, I require further information about:

- *The status of auditing and compliance documents in the casefile (searches template and Statement of Compliance)*
- *The scope and subject matter of the request*
- *The searches conducted*
- *The information considered for release*
- *The application of exemptions*
- *Other: <provide details>*

### Decision on Issuing the Response

Please select from the following options:

- I am content with the response in its present form and decide that it should be issued without undue delay.

**OR**

- In order to make a decision, I require further information about:  
*<provide details>*
- In order to make a decision, I require the following changes to be made to the response:  
*<provide details>*

*<Decision Maker>*

*<Title/Division>*

*<Extension>*

## FOI/EIR REQUEST – SEARCHES CARRIED OUT

### FOI case reference number:

Please complete the table below where applicable and add any other relevant information regarding searches or other work carried out to locate information within the scope of the request.

Save a copy of this in the request's casefile.

eRDM searches (including searches carried out for you by other teams)

<b>Keywords searched</b> (individual keywords or combinations)	<b>Comments on findings</b> – e.g. number of documents found, if reading through showed none/some of these documents were in scope
	The pre-meeting briefing was quickly supplied by officials in Strategic Business Engagement who were responsible for co-ordinating this series of meetings. We are very confident that no other information is held about this meeting (beyond dates, location, participants etc) and so no further searches were undertaken.
<b>eRDM files searched*</b>	<b>Comments on findings</b> – e.g. number of documents found, if reading through showed none/some of these documents were in scope
	As above

\* - if individual files were reviewed in full as well as or instead of keyword searches  
Inbox searches

<b>Names of staff/teams asked to carry out searches</b>	<b>Date you asked them to search</b>	<b>Comments on feedback from them (e.g. nothing found, no response, provided docs x and y)</b>
		I co-ordinated with Julie Christie, Strategic Business Engagement who agreed with the above assessment i.e. no further searches were necessary.

Details of keywords used in your own/your team's inbox searches

<b>Keywords searched</b> (individual keywords or combinations)	<b>Comments on findings</b> – e.g. number of documents found, if reading through showed none/some of these documents were in scope

Details of any other searches carried out (including by other teams)

e.g. information held in hard copy, SG and other websites, non-eRDM databases, files held by [NRS](#) or paper files, or personal devices and accounts (such as WhatsApp, text messages etc).

**Statement of Compliance – Initial Request**

FOI reference number: 202100228802



**Case-handler record of Decisions:**

In preparing our response to [requester name] request for [request] I can confirm that, as detailed above, when considering the information held, exemptions/exceptions have not been applied in a restrictive way and I have applied a presumption in favour of disclosure. Where appropriate, I have also given due consideration of the public interest.

**3<sup>rd</sup> Party Consultation:****Decision Level:**

I have determined that it is appropriate to seek comments or advice in relation to my response from [colleagues / line manager / FOI Unit / Special Advisers].

I can confirm that I have saved a copy of any comments/advice received to the casefile. Having giving consideration to the complexity and sensitivity of the request, I have agreement from the FOI Unit that a Ministerial decision [is / is not] required in this case. Where a Ministerial decision is required, I have saved a copy of the Ministerial submission to the casefile.

Where my response differs from any FOI Unit advice received I have noted my considerations and conclusions below:

**Notes on case handling/summary of case:****FOI Unit Triage advice:**

<b>What</b>	Programme of Engagement with Business Organisations
<b>Where</b>	Teleconference Phone Number 1: [REDACTED] (for Mr Hepburn only) Guest Passcode: [REDACTED]
<b>When</b>	Friday 4 <sup>th</sup> September, 13.15 – 13.45
<b>Who</b>	Prof Iain Docherty, Stirling University
<b>Why</b>	<p>This meeting is part of the Programme of Engagement agreed by the Cabinet Secretary ahead of the Scottish Government's response to the recommendations made by the Advisory Group on Economic Recovery.</p> <p>Professor Iain Docherty, Dean for the Institute for Advanced Studies, Stirling University, is a significant figure in Scottish public policy circles e.g. he was a member of the Infrastructure Commission and the SNP's Sustainable Growth Commission. He is also a co-investigator in the ESRC's Productivity Insights Network with which Scottish Government officials have been liaising closely.</p>
<b>Offer / Ask</b>	<p><b>OFFER:</b></p> <ul style="list-style-type: none"> <li>• The Scottish Government published its response to the AGER recommendations on Wednesday 5<sup>th</sup> August.</li> <li>• Our focus is on supporting business to protect jobs, creating jobs and ensuring good quality jobs for an innovation-driven green, inclusive and wellbeing recovery.</li> <li>• Essential that a range of stakeholders can effectively contribute to the development and implementation of economic policy.</li> <li>• Keen to maintain regular dialogue with academics engaged with development of public policy in Scotland. Prof Docherty's expertise can continue to help shape policy across a number of areas.</li> </ul> <p><b>ASK:</b></p> <ul style="list-style-type: none"> <li>• Specifically, we would welcome Prof Docherty thoughts on how the Scottish Government's engagement with the Productivity Insights Network might be expanded to support our policy development in the wake of Covid-19.</li> </ul>
<b>Supporting official</b>	Stephen Boyd [REDACTED]
<b>Briefing contents</b>	<p><b>Annex A</b> – Biography</p> <p><b>Annex B</b> – Productivity Insights Network - background</p> <p><b>Annex C</b> – Infrastructure Commission - background</p>

## Annex A

### Prof Iain Docherty - Biography

Professor Iain Docherty is Dean for the Institute for Advanced Studies. He joined the University of Stirling in April 2019. Prior to this, he was Professor of Public Policy and Governance and Director of External Engagement at the University of Glasgow Adam Smith Business School.

His **research interests focus on the interconnecting issues of public policy, institutional change and city and regional competitiveness, especially the role of transport in promoting economic development and environmental sustainability**. Iain has worked with and advised a range of private sector, governmental and other organisations including governments and public agencies in the UK, US, Australia, Canada, The Netherlands and Sweden, and the OECD.

In 2015 he was appointed by the ESRC and Innovate UK as one of five Thought Leaders working to integrate scientific innovation and social science research across the UK, and **he is currently one of the Co-Investigators managing the £1.2m ESRC Productivity Insights Network, which aims to bring together leading social science academics to help address the UK economy's resilient productivity gap**.

His other current appointments include international expert advisor to the Swedish National Transport Laboratory for its work on connected and autonomous vehicles, **Commissioner on the National Infrastructure Commission for Scotland**, and member of the Scottish Ministers' Governance Board overseeing the revised National Transport Strategy.

## Annex B Productivity Insights Network (PIN)

The Productivity Insights Network was established in January 2018 and is funded by the Economic and Social Research Council. As a multi-disciplinary network of social science researchers engaged with public, private, and third sector partners, **PIN's aim is to change the tone of the productivity debate in theory and practice**. It is led by the University of Sheffield, with co-investigators at the Cambridge Econometrics, Cardiff University, Durham University, University of Sunderland, SQW, University of Cambridge, University of Essex, University of Glasgow, University of Leeds and University of Stirling.

PIN's three year programme of work to December 2020 aims to provide new insights on the productivity puzzle in the UK. We are committed to growing PIN through the participation of academic, public, private, and third sector partners who bring new insights to the productivity debate.

PIN's work programme is designed to encourage interdisciplinary collaboration and the engagement of academic and non-academic partners. There are three core streams of activity:

- **Core Work Programme:** This work stream is led by the core PIN team. As well as undertaking reviews of the existing evidence base and identifying opportunities for

new directions in interdisciplinary research, the core team will develop new thematic, place and sector-based insights on the productivity puzzle.

- Open Research Work Programme: As an open network PIN invites proposals to undertake research that advances or explores new directions in productivity research in conjunction with key user communities.
- Responsive Work Programme: As well as open funding calls, PIN is working closely with HM Treasury and the Department for Business, Energy and Industrial Strategy. Working with the wider network the core team will respond to requests with briefings developed on a real time basis.

The Scottish Government has been closely involved with PIN as it has developed over the past 2 years:

- Attended annual conferences at Sheffield University and ran a series of seminars with PIN researchers including Prof Docherty. These have covered a range of issues including productivity and inclusive growth; productivity and infrastructure; SMEs and productivity growth and productivity and skills. The series was suspended due to Covid but officials are currently in discussion with PIN about re-establishing the series online.
- ***The Scottish Government is very keen to maintain and develop its relationship with PIN in order that future policy development is fully informed by new research and insights.***

## **Annex C     Infrastructure Commission**

- **As a member of the Infrastructure Commission for Scotland, Iain Docherty has brought invaluable independent expertise and insight to the discussion on how we develop our long-term infrastructure strategy.**
- The Cabinet Secretary for Transport, Infrastructure and Connectivity recently wrote to Iain to thank him for his involvement in the Commission, particularly in the challenging circumstances engendered by Covid-19, and to highlight the critical role of infrastructure in our economic recovery.
- In September, we will publish the details of our next five-year Infrastructure Investment Plan to help us respond to the economic challenges of COVID-19.
- The role of infrastructure investment will be fundamental to ensuring we take an investment-led, green recovery.
- We remain committed to delivering the National Infrastructure Mission – to increase infrastructure investment so it is £1.5 billion per year higher at the end of the next Parliament than in 2019-20.
- The Scottish Government welcomes the Infrastructure Commission for Scotland second report on the delivery of infrastructure [published on 27 July 2020]. We shall now take time to consider its findings very carefully.
- The Commission's Phase 1 report has already helped to shape our forthcoming Infrastructure Investment Plan, which will incorporate a response to the Commission's Phase 1 findings.
- The AGER recommends accelerating digital infrastructure, place based initiatives (urban and rural) and a green spine to investment-led recovery – all consistent with the approach we will set out in our Infrastructure Investment Plan, and in line with the Phase 1 findings of the Infrastructure Commission.