

REASONS FOR NOT PROVIDING INFORMATION

Section 38(1)(b) – applicant has asked for personal data of a third party

An exemption under section 38(1)(b) of FOISA (personal information) applies to the correspondence, emails and minutes requested because they relate to an active recruitment exercise and contain personal data of a third party, ie names, contact details of individuals and information by which the individual could be easily identified, and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exemption is not subject to the ‘public interest test’, so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

Sections 30(b)(i) and 30(b)(ii) – free and frank exchange of views for the purposes of deliberation

Exemptions under sections 30(b)(i) and 30(b)(ii) of FOISA (free and frank advice and exchange of views) apply to some of the information requested. These exemptions apply because disclosure would, or would be likely to, inhibit substantially the free and frank provision of advice and exchange of views for the purposes of deliberation. The exemptions recognise the need for Ministers to have a private space within which to seek advice and views from officials before reaching the settled public position which will be given in a published announcement when the appointment is made. Disclosing the content of free and frank briefing material on the appointment of the women’s health champion will substantially inhibit such briefing in the future, particularly because discussions on the issue are still ongoing and final decisions have not been taken, and these discussions contain sensitivities as they relate to an active recruitment exercise.

These exemptions are subject to the ‘public interest test’. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemptions. We have found that, on balance, the public interest lies in favour of upholding the exemptions. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing a private space within which officials can provide free and frank advice and views to Ministers in briefing. It is clearly in the public interest that Ministers can properly and robustly defend the Government’s policies and decisions. They need full and candid advice from officials to enable them to do so. Premature disclosure of this type of information could lead to a reduction in the comprehensiveness and frankness of such advice and views in the future, which would not be in the public interest.

Section 29(1)(a) – formulation or development of government policy

An exemption under section 29(1)(a) of FOISA (formulation or development of government policy) applies to some of the information requested because it relates to the development of the Scottish Government's policy on the appointment of the Women's Health Champion.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in high quality policy and decision-making, and in the properly considered implementation and development of policies and decisions. This means that Ministers and officials need to be able to consider all available options and to debate those rigorously, to fully understand their possible implications. Their candour in doing so will be affected by their assessment of whether the discussions on the appointment of the Women's Health Champion will be disclosed in the near future, when it may undermine or constrain the Government's view on that policy while it is still under discussion and development.

Section 30(c) – substantial prejudice to the effective conduct of public affairs

An exemption under section 30(c) of FOISA (prejudice to effective conduct of public affairs) applies to some of the information requested.

Disclosing this information would substantially prejudice our ability to conduct the appointment of the Women's Health Champion because it is an ongoing recruitment exercise, involving several individuals. This would constitute substantial prejudice to the effective conduct of public affairs in terms of the exemption.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government. However, there is a greater public interest in protecting the process of recruitment and ensuring that the Scottish Government is able to conduct this aspect of its business effectively.

Document 1

1. Women's Health Champion: role profile

Background

Scotland's Women's Health Plan was published in August 2021 and aims to reduce inequalities in health outcomes for women, and to improve information and services for women. The Plan sets out a range of actions which were developed by bringing together experts from a range of specialties, the public and third sectors, who work on women's related health issues. The work was informed by both a lived experience survey and a series of lived experience engagement events to ensure women's voices and experiences were central to the Plan.

Key actions include:

- appointing a national Women's Health Champion and a Women's Health Lead in every NHS board;
- providing a central platform for women's health information on NHS Inform;
- setting up a Women's Health Community Pharmacy service;
- adopting a life course approach in all services to improve women's health holistically;
- and specific actions in relation to the Plan's priority areas: menopause, menstrual health and endometriosis, access to contraception and abortion, and women's heart health.

A Women's Health Plan Implementation Programme Board has been established to ensure that progress is achieved and that the actions within the Plan are implemented effectively and in partnership. The Women's Health Champion will be a member of the Board.

For the implementation of the Plan to be successful long term, the focus now is on creating the conditions for change. The Women's Health Champion and a Women's Health Lead in every NHS board will be key to driving change and sharing best practice and innovation. The Women's Health Champion will be the linchpin that coordinates efforts across the different groups and organisations involved in achieving our vision for women's health. This will include ensuring women's health is prioritized, as well as working to increase awareness and to reduce stigma by initiating open conversations about women's health.

Main duties:

1. Take an integral role in promoting the implementation of the Women's Health Plan's actions and in leading and driving strategic and cultural change, whilst providing where necessary constructive challenge to Government, policy makers and service providers.

2. Work with partners across Scotland including the Scottish Government and Health and Social Care sector to actively promote and raise awareness of the aims and ambitions of the Women's Health Plan.
3. With the support of the Scottish Government's Women's Health Plan Team, develop and lead a network of local women's health experts and leaders and thereby empower them to drive forward strategic change, taking into consideration the wider landscape and delivery context as services recover from the pandemic.
4. Work with partners across Scotland and the Scottish Government to ensure that women's voices, in particular those in under-represented groups and groups that experience highest health inequalities, are heard in the implementation of the Plan.
5. Use networks and influence to leverage action and raise awareness of women's health and the importance of addressing women's health inequalities.
6. Meet regularly with Scottish Ministers and senior leaders across Scotland to discuss issues of interest, potential barriers to implementation, provide evidence-based advice and to update on achievements.

Person specification

Essential Criteria

To be considered for this role, you must be able to demonstrate that you have the qualities, skills and experience to meet the essential criteria. The successful applicant will:

- demonstrate strong leadership skills, including experience of driving forward strategic and cultural change across large organisations and evidence of providing constructive challenge where required;
- knowledge of the women's health landscape in Scotland, including women's health inequalities, and awareness of the impact multiple, overlapping disadvantages and barriers to accessing good healthcare has on women and girls;
- demonstrable commitment to tackling health inequalities and promoting a life course approach in all services to improve women's health holistically;
- demonstrate considerable skills and experience in using their networks and influence to raise the profile of women's health and lead improvement at a strategic level, and to support others to deliver change at a local and national level;
- demonstrate considerable skills and experience in understanding and representing a range of different viewpoints, for example those of patients/public (including those less often heard), third sector partners, healthcare professionals and employers, and working in partnership with others to reach consensus and deliver positive outcomes;
- be an effective public communicator who is confident in dealing with the media, and able to address potentially high-profile, complex, and sensitive women's health issues in a way that is empathetic and supports the ambition of the Women's Health Plan.

Document 2:

Women's Health Champion – Interview Guide

Welcome and explanation of format (Chair)	<ul style="list-style-type: none">▪ Welcome...▪ Ask panel members to introduce themselves▪ Informal interview which will be approx. 45 minutes▪ In all cases we're keen to hear examples to illustrate your points▪ We will take notes
Technical support	<ul style="list-style-type: none">▪ If disconnected from the teams call please attempt to reconnect▪ A phone number is provided in the calendar invitation to allow you to dial into the panel if you are not able to reconnect through MS Teams
Interview questions	30 – 45 mins
Close (Chair)	<ul style="list-style-type: none">▪ Do you have any questions?▪ Many thanks for attending the interview

INTERVIEW QUESTIONS BASED ON ESSENTIAL CRITERIA

Please note that these suggested questions represent a menu from which the panel can select at least one question for each essential criteria. The Women's Health Champion role profile sets out six essential criteria.

The format and allocation will be agreed by pre-interview panel discussion.

Icebreaker

- Tell us about your career to date, what attracts you this role and if successful, what you think you will bring to this role

Leadership Skills

Demonstrate strong leadership skills, including experience of driving forward strategic and cultural change across large organisations and evidence of providing constructive challenge where required;

Suggested Questions:

- *What are your key strengths as a leader?*
- *What are the most important values that you demonstrate as a leader?*
- *In what ways would you need to work differently if you were successful today? Hardest thing for you in this?*
- *Outline an occasion where you led a business improvement programme at a senior level in a political environment.*
- *Describe an occasion when you have had to address the inadequate performance of a senior key stakeholder or partner.*

Women's Health

Knowledge of the women's health landscape in Scotland, including women's health inequalities, and awareness of the impact multiple, overlapping disadvantages and barriers to accessing good healthcare has on women and girls;

Suggested Questions:

- What do you think are currently the biggest challenges in women's health, and how would you – as Women's Health Champion – address them?
- What impact would you like to have in this role?
- How do you work with colleagues from other professional backgrounds from your own? What learnings will you bring from those experiences into this role?

Networks and Influence

Demonstrate considerable skills and experience in using their networks and influence to raise the profile of women's health and lead improvement at a strategic level, and to support others to deliver change at a local and national level;

Suggested Questions:

- Can you describe how you manage the most important relationships in your current role?
- Describe an occasion where you have worked across boundaries, with a range of stakeholders, to create a shared strategy or understanding.
- Describe an example of when you encouraged your teams to connect widely and take a whole system approach in order to achieve outcomes?
- Driving effective and sustainable change often relies on effective relationships. How have you used your networks and influence to create change and improvement in women's health?

Health Inequalities

Demonstrable commitment to tackling health inequalities and promoting a life course approach in all services to improve women's health holistically;

Suggested Questions:

- Addressing inequalities in Women's Health is something that cannot be achieved by the health service alone, but health issues are often deemed to be for the NHS to tackle. How would you see a Women's Health Champion providing leadership to effect change across sectors.
- Can you describe your own experience in providing effective leadership to drive change on a multi-agency and sectoral basis.
- Tackling the health inequalities that women face is central to the Women's Health Plan. Can you tell us about your experience addressing health inequalities and how you would apply that to women's health?

Representing Different Viewpoints

Demonstrate considerable skills and experience in understanding and representing a range of different viewpoints, for example those of patients/public (including those less often heard), third sector partners, healthcare professionals and employers, and working in partnership with others to reach consensus and deliver positive outcomes;

Suggested Question:

- *How does your leadership demonstrate equality, inclusion and diversity and give us an example where this didn't work as well as you might have liked? What did you learn?*

Communication

Be an effective public communicator who is confident in dealing with the media, and able to address potentially high-profile, complex, and sensitive women's health issues in a way that is empathetic and supports the ambition of the Women's Health Plan.

Suggested Question:

- *Women's health is by its nature, complex, but can often be simplified in discourse to a binary subject. How would you use your experience as a public communicator to promote key messages in an emphatic but effective way both to professionals and to the general public?*