

REASONS FOR NOT PROVIDING INFORMATION

Part 1d) of your request: an exemption applies.

An exemption under section 38(1)(b) of FOISA applies to the information you have requested.

Section 38(1)(b) relates to personal data relating to a third party. This exemption is not subject to the 'public interest test'.

An exemption under section 29(1)(d) of FOISA applies to the information you have requested.

Section 29(1)(d) relates to the operation of any Ministerial private office.

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. The information within these documents is administrative only and is not of benefit to the public as it would not further inform the background of a Ministerial decision.

1D) COMPOSITE OF DOCUMENTS PROVIDED

Document 1: Email – RE: Off Sen: BBC Budget Story 15 December 2022

-----Original Message-----

From: Fraser L (Lesley) [redacted]

Sent: 04 January 2023 09:01

To: Bruce A (Andrew) [redacted]; Huggins G (Geoff) (Director Digital) [redacted]; DG Corporate [redacted]

Cc: Hynd JS (James) [redacted]; Mackie C (Christopher) [redacted]; Watson DB (Dave) (iTECS) [redacted]

Subject: RE: Off Sen: BBC Budget Story 15 December 2022

Many thanks indeed Andy

That's very helpful, and sounds very sensible actions in the circumstances. I am assured by the short and medium term actions underway.

I'd like still to meet with you and Geoff - perhaps later this month/ Feb once the plans for the new IT equipment are in place, and you've had the chance to review to improvements in guidance and training already in place - to agree what measures of assurance might be proportionate and useful across the system. I'd be keen to measure far as possible how we are improving the management of sensitive information, particularly when it has to go through in boxes that many people can access (including Director, DG and Ministerial boxes, for example).

Many thanks again

L

Lesley

Lesley Fraser | she/her | Director General Corporate Scottish Government | [redacted] This mailbox is for my urgent personal attention only. Please send other mail to [redacted] I work Monday to Friday when the DG Corporate inbox is normally covered from 8.45am-5pm. If you need an urgent response outside those hours, please call or text.

-----Original Message-----

From: Bruce A (Andrew) [redacted]

Sent: 21 December 2022 18:39

To: Fraser L (Lesley) [redacted]; Huggins G (Geoff) (Director Digital) [redacted]; DG Corporate [redacted]

Cc: Hynd JS (James) [redacted]; Mackie C (Christopher) [redacted]; Watson DB (Dave) (iTECS) [redacted]; Bruce A (Andrew) [redacted]

Subject: RE: Off Sen: BBC Budget Story 15 December 2022

Lesley

I wanted to provide you with a further update on the action now taken and planned in response to Geoff's report, which I have discussed with both Geoff and James Hynd.

Geoff's report has identified two specific instances where the guidance for ministerial briefing material has not been followed correctly. Both of those instances have been investigated and found to be mistakes by junior private office staff. Those staff have been reminded them of their obligations and the guidance has been circulated around all ministerial private office staff to ensure it is being followed closely at all times. As further assurance on the protection of government information, we have also sought assurances that where information may have been sent to MSP accounts in exceptional circumstances, appropriate information management procedures have been followed to protect the integrity of the information in question.

Early next year, improved government IT equipment will be issued to ministers that will allow easier access to the ministerial e-box. Ahead of that launch, we will work with Geoff's team to take forward improvements to the guidance that will: better define the exceptional circumstances under which material can be sent to an external e-mail address; set out clearly the audit trail required to document those circumstances; clarify the requirements around handling of the material, including secure destruction; and define the various categories of information that may be sent in this way, delineating between very sensitive material; sensitive material and routine operational correspondence such as diary updates and communications lines clearance.

Thanks

Andy

Andy Bruce
Director of Communications & Ministerial Support Scottish Government

My pronouns are he / him

[redacted]

[redacted]

-----Original Message-----

From: Fraser L (Lesley) [redacted]

Sent: 21 December 2022 16:32

To: Huggins G (Geoff) (Director Digital) [redacted]; DG Corporate [redacted]

Cc: Permanent Secretary [redacted]; Bruce A (Andrew) [redacted]; Hynd JS (James)

[redacted]; DG Scottish Exchequer Mailbox [redacted]; Scott A (Andrew) Dr

[redacted]; Cumming A (Alison) [redacted]; Mackie C (Christopher) [redacted];

Watson DB (Dave) (iTECS) [redacted]; [redacted]

Subject: RE: Off Sen: BBC Budget Story 15 December 2022

Geoff

Many thanks indeed to you and colleagues for this advice.

I note the review that you and colleagues have undertaken, that you have found no evidence of the sharing of any electronic document or file with the BBC by the Scottish Government, that you have found evidence of good practice in information handling by DG Scottish Exchequer, and that you have also found some aspects of wider information handling that should be improved. I note that you and Andy have already taken some actions, and that further advice and training will follow in the new year. I'm grateful too to colleagues in DG Scottish Exchequer who, working with Cabinet Secretariat, will look at information management and handling as part of their planned wider review of the 2022 budget process.

I have also spoken separately to Andy B and discussed with him some additional actions that he has taken to improve information security on different but related matters.

I'd be grateful for a further update in January on the progress of all of the above. I will ask my team to contact you after the holidays to put time in the diary at a time that you suggest.

Many thanks again

L

Lesley

Lesley Fraser | she/her | Director General Corporate Scottish Government | [redacted] This mailbox is for my urgent personal attention only. Please send other mail to [redacted]. I work Monday to Friday when the DG Corporate inbox is normally covered from 8.45am-5pm. If you need an urgent response outside those hours, please call or text.

-----Original Message-----

From: Huggins G (Geoff) (Director Digital) [redacted]

Sent: 21 December 2022 15:23

To: Fraser L (Lesley) [redacted]; DG Corporate [redacted]

Cc: Permanent Secretary [redacted]; Bruce A (Andrew) [redacted]; Hynd JS (James) [redacted]; DG Scottish Exchequer Mailbox [redacted]; Scott A (Andrew) Dr [redacted]; Cumming A (Alison) [redacted]; Mackie C (Christopher) [redacted]; Watson DB (Dave) (iTECS) [redacted]; [redacted]

Subject: Off Sen: BBC Budget Story 15 December 2022

Lesley

I attach a note in relation to the work we have undertaken to consider information handling arrangements in relation to the Budget statement on 15 December.

Geoff Huggins

Director Digital
Scottish Government

(mobile) [redacted] (Please text first if you are not likely to be in my contacts as I do not routinely answer calls from unknown numbers.)

Please be aware [redacted] and [redacted] routinely read and deal with the correspondence in this mailbox.