

From: [REDACTED]@gov.scot>

Sent: 19 October 2022 14:12

To: Director of Economic Development <DirectorDED@gov.scot>

Cc: Hall K (Kate) <Kate.Hall@gov.scot>; [REDACTED]@gov.scot>; [REDACTED]
[REDACTED]@gov.scot>

Subject: URGENT: Briefing Pack Mr McKee

Colin – can you please authorise the attached briefing pack so that it can be sent to Mr McKee in advance of his deadline cop tomorrow? Kate has seen.

As Louise is on leave I will check [REDACTED].

Many thanks

[REDACTED]

MINISTERIAL ENGAGEMENT BRIEFING: Minister for Business, Trade, Tourism and Enterprise

Engagement title	Meetings with preferred candidate(s) for the role of Chair of the Board Ferguson Marine Port Glasgow.
Engagement timings	24 October 2022 1400 to 1445 and 1500 to 1545
Organisation	Ferguson Marine (Port Glasgow) Ltd
Venue and full address	Microsoft Teams
Background/Purpose (including invitation history)	<p>As per the submission of the 7 July 2022, agreed by DFM and the Minister, from the formal interviews on 20 and 21 October 2022 one or two candidates will be identified as the preferred candidate(s) for the position of Chair of the Board FMPG. These candidates will then meet with the Minister ahead of the recommendation to DFM of a candidate for appointment as Chair</p> <p style="text-align: center;">[REDACTED]</p> <p style="text-align: center;">[REDACTED]</p>
Meeting attendees	TBC no later than cop Friday 21 October once interviews by the Board have been completed and preferred candidates(s) known.
Official support and mobile number	[REDACTED] – SCAD Governance and Sponsorship Team – 07 [REDACTED]

	The Minister is requested to advise if he requires the official to attend the meeting(s)
Briefing contents Annex A – Background Annex B – [REDACTED] Report and Candidate CV (these are included as embedded documents within this brief and are attached separately to the covering email)	

BACKGROUND

Role of the Chair of a the Board

The latest, agreed Framework Document from February 2022 states:

The Chair's Responsibilities

1. The Chair and Board members are appointed and accountable to the Scottish Ministers and, in common with any individual with responsibility for devolved functions, may also be held to account by the Scottish Parliament. Communications between the Board and Scottish Ministers should normally be through the Chair. The Chair shall ensure that other Board members are informed of any relevant communications from Scottish Ministers. He or she is responsible for ensuring that the company's policies and actions support Scottish Ministers' strategic policies and that its affairs are conducted with probity.
2. The Chair is pivotal in creating the conditions for overall Board and individual Director effectiveness, setting clear expectations concerning the style and tone of Board discussions, ensuring the Board has effective decision-making processes and applies sufficient challenge to major proposals. It is up to the Chair to make certain that all Directors are aware of their responsibilities and, where appropriate, to hold meetings with the non-executive directors without the executives present in order to facilitate a full and frank airing of views. In leading the Board the Chair has leadership responsibility for:
 - formulating the Board's strategy;
 - ensuring that the Board, in reaching decisions, takes proper account of Scottish Ministers' objectives for FMPG, as sole shareholder;
 - promoting the efficient and effective use of staff and other resources;
 - encouraging high standards of propriety and regularity;
 - representing the views of the Board to the general public;
 - a timely flow of accurate, high quality and clear information, between the Board and management;
 - ensuring the Board determines the nature and extent of the significant risks the company is willing to embrace in the implementation of its strategy;
 - ensuring that all Directors are aware of and able to discharge their statutory duties; and
 - ensuring that the Board listens to the views of shareholders, the workforce, customers and other key stakeholders.
3. The Chair shall also:
 - ensure that the work of the Board is subject to regular self-assessment and that the Board is working effectively;
 - ensure the Board, in accordance with recognised good practice in corporate governance, is diverse both in terms of relevant skills, experience and knowledge appropriate to directing the company business, and in terms of protected characteristics under the Equality Act 2010 and the [Gender Representation on Public Boards Act](#) and [Guidance](#), where these apply;

- ensure that Board members are fully briefed on terms of appointment, duties, rights and responsibilities;
 - together with the other Board members, receive appropriate induction training, including financial management and reporting requirements, severance policy and, as appropriate, on any differences that may exist between private and public sector practice;
 - ensure that the structure of the company is explained and understood by Board members;
 - ensure succession planning takes place to ensure that the Board is diverse and effective, and the Scottish Ministers are advised of the company needs when Board vacancies arise; and
 - ensure that the [model code of conduct](#) for board members of public bodies is adhered to.
4. The Chair assesses the performance of individual Board members on a continuous basis and undertakes a formal appraisal annually. The Chair, in consultation with the Board as a whole, is also responsible for undertaking an annual appraisal of the performance of the Chief Executive.

Chair of the Board recruitment process

Following an unsuccessful public appointments process, and the agreement of the Cabinet Secretary for Finance and the Economy, expressions of interest to provide recruitment services under Crown Commercial Services Agreement RM6002 were sought [REDACTED]
[REDACTED]

The candidate application pack and criteria required is embedded within this document and has been attached as a separate annex to the covering email. This is a challenging appointment and the key skills and experience which have been identified as critical to the role are:

- Background in and experience of being a board member
- High level interpersonal skills
- Ability to grasp technical detail
- Able to provide leadership
- Open, honest and frank

[REDACTED]

[REDACTED]

A sift was carried out on 14 October 2022 by Colin Cook, Director Economic Development, and [REDACTED], Scottish Government Non-Executive Director.

[REDACTED] were selected for interview.

The [REDACTED]
[REDACTED]

For protection and to guard against unauthorised changes all [REDACTED] reports containing personal information are sent as password protected PDF – the password is [REDACTED]

Ministers Role in the Recruitment Process

The formal interviews will be conducted on the 20 and 21 October 2022 and a maximum of 2 preferred candidates (ranked) will be invited to a follow up meeting with the Minister. The meeting is not a formal element in the recruitment process and a preferred candidate will have been identified prior to those conversations. It is possible that only one candidate would be proposed for that conversation depending on the deliberations of the interview panel. The meeting is intended to offer further commentary before advice is provided to the DFM who has overall responsibility for the appointment.

[REDACTED]

[REDACTED]

From: [REDACTED]@gov.scot>

Sent: 26 October 2022 16:33

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: [REDACTED]@gov.scot>; Hall K (Kate) <Kate.Hall@gov.scot>

Subject: Chair of the Board FMPG - 24 October 2022

[REDACTED] – further to our discussion earlier here are the notes of the meeting Mr McKee had with the preferred board candidate and his email to me following that meeting.

This appointment will be

[REDACTED]

[REDACTED] Governance and Sponsorship/Strategic Commercial Assets Division
Scottish Government
07[REDACTED]

From: [REDACTED] <[REDACTED]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 26 October 2022 10:50

To: First Minister <firstminister@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: Minister for Business, Trade, Tourism & Enterprise <MinisterBTTE@gov.scot>; Minister for Transport <MinisterFT@gov.scot>; Cabinet Secretary for Net Zero, Energy and Transport <CabSecNetZET@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; DG Economy <DG_Economy@gov.scot>; DG Net Zero <DGNetZero@gov.scot>; DG Scottish Exchequer Mailbox <DGScottishExchequer@gov.scot>; CFO : Head of CFO Unit <DLODOBCFOUHO@gov.scot>; Communications Finance & Economy <CommunicationsFinance&Economy@gov.scot>; Chief Executive Transport Scotland <ceo@transport.gov.scot>; Hall K (Kate) <Kate.Hall@gov.scot>; Higgins K (Kate) <Kate.Higgins@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; McFarlane J (John) (Special Adviser) <John.McFarlane@gov.scot>; Dobson L (Leanne)

<Leanne.Dobson@gov.scot>; [REDACTED] <[REDACTED]@gov.scot>; [REDACTED]

<[REDACTED]@gov.scot>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED]

<[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>;

[REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>;

[REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>;

[REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>;

[REDACTED] <[\[REDACTED\]@transport.gov.scot](mailto:[REDACTED]@transport.gov.scot)>; Pacitti F (Frances)

<Frances.Pacitti@transport.gov.scot>; [REDACTED] <[\[REDACTED\]@transport.gov.scot](mailto:[REDACTED]@transport.gov.scot)>;

[REDACTED] <[\[REDACTED\]@transport.gov.scot](mailto:[REDACTED]@transport.gov.scot)>; [REDACTED]

<[\[REDACTED\]@transport.gov.scot](mailto:[REDACTED]@transport.gov.scot)>; Pearce H (Hilary) <Hilary.Pearce@gov.scot>; [REDACTED]

<[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; Hannaway K (Kenneth) <Kenneth.Hannaway@gov.scot>; McAllister C

(Colin) <Colin.McAllister@gov.scot>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

Subject: RE: URGENT: Submission - Chair of the Board FMPG - 24 October 2022

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team [in line with SG records management policy](#).

07[REDACTED]

From: [REDACTED]@gov.scot> **On Behalf Of** Minister for Business, Trade, Tourism & Enterprise
Sent: 24 October 2022 17:36
To: [REDACTED]@gov.scot>; Minister for Business, Trade, Tourism & Enterprise
<MinisterBTTE@gov.scot>
Subject: RE: Mr McKee meet with [REDACTED]

Hi [REDACTED],

Thank you for sending this over.

Mr McKee has commented that [REDACTED]
[REDACTED]

Many thanks,

[REDACTED]
Private Secretary
Minister for Business, Trade, Tourism & Enterprise
The Scottish Government
Edinburgh
Email: MinisterBTTE@gov.scot

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From: [REDACTED]@gov.scot>
Sent: 24 October 2022 16:42
To: Minister for Business, Trade, Tourism & Enterprise <MinisterBTTE@gov.scot>
Subject: Mr McKee meet with Andrew Miller

PO – my bullet points from the meeting between the Minister and [REDACTED] re the Chair of the Board FMPG.

We'd appreciate a view from the Minister on [REDACTED]

Many thanks

[REDACTED]

Mr McKee meet with [REDACTED]

Thank you for making the time

Chat around the role and [REDACTED] background

[REDACTED] perspective of challenge

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]