

EMAIL COMMUNICATIONS WITH MARK DIFFLEY CONSULTANCY AND RESEARCH PERTAINING TO PROGRESS SCOTLAND

From: [Redacted]
Sent: 30 July 2019 12:33
To: Mark Diffley <[Redacted]>; [Redacted]; [Redacted]
Cc: [Redacted]; [Redacted]
Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

Hi Mark,

We are not actually doing a proactive release, but have updated our website which confirms you are the successful contractor. <https://www.citizensassembly.scot/>

The official Contract Award Notice has now also appeared, at:

https://www.publiccontractsscotland.gov.uk/search/search_mainpage.aspx

At this stage we will not be releasing the statement you provided us to confirm there is no conflict of interest regarding your work with Progress Scotland, but we're keeping that under review. I'll get back in touch if the position changes.

Thanks for confirming you can meet from 11.30 to 13.00 on Thursday 1 August at St Andrew's House. The meeting will be with [Redacted], [Redacted], [Redacted] and potentially another person from our analytical services.

Do get in touch if there is anything further you need.

Kind regards,

[Redacted]

From: Mark Diffley <[Redacted]>
Sent: 29 July 2019 17:57
To: [Redacted]; [Redacted]
Cc: [Redacted]
Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

[Redacted],

Thanks for this – I will look over the contract and get that signed, plus return the DPA you attached.

Re the contract announcement, yes I am happy for my statement to be appended in the way you describe in your email. Reading it again, I noticed a missing comma and a comma not needed, so I have amended according below.

Please could you let me know when it is going to go out.

All best wishes

Mark

STATEMENT

We do have a contractual agreement with Progress Scotland to provide arms-length advice and guidance on the research which they commission, involving online polling and focus group-based research. The affiliation with Progress Scotland is akin to our affiliation with any of our other clients who contract us for independent research

services. We are not employed by Progress Scotland and are not involved in any fundraising activity which the organisation undertakes.

Our work with Progress Scotland upholds a sound application and conduct of research methods, in line with industry best practice, the MRS Code of Conduct and British Polling Council regulations. For instance, we ensure that research materials are balanced, avoiding leading, or unambiguous language. We also ensure that data is reported in a neutral manner, presenting caveats around sampling tolerances and margins of error, as well as disclaimers around qualitative research, and its role in indicating a range of views as opposed to the prevalence of views within a population. These safeguards protect against distortion or bias in the interpretation of findings.

As an independent research company, we do not express or have a motivation to influence views on any political or constitutional question. As well as providing independent research services to Progress Scotland, I have conducted polling research for the UK Cabinet Office in the lead up to the 2014 Scottish Independence Referendum and have, over the years, worked with all of the main political parties in a polling or wider research capacity. In addition to providing independent research services, commentary and analysis we do not have a position on any political issue.

Therefore, we do not have any conflict of interest in undertaking recruitment for Scotland's Citizens' Assembly. As described in our proposal, our aim is to recruit a "mini-public" representative of the Scottish population in terms of demographics but also the full diversity of political and social attitudes. Our work with Progress Scotland will not bias our approach to the recruitment of the Assembly, as these are two distinct research contracts with distinct research requirements. Participants for the Assembly will be recruited face-to-face and will not have taken part in market or social research in the last 6 months, quotas will be set using the most recent Scottish mid-population estimates and by pooling social and political attitude and opinion data. Given the nature and profile of this work in particular we are aware of the responsibility for the quality of the recruitment.

We hope that this provides you with the necessary reassurance around our independence. We guarantee that there will not be any overlap between our work for Progress Scotland, and the recruitment of the Citizens' Assembly for Scottish Government and the Secretariat. We have undertaken a number of high profile and sensitive research studies, including polling for the Cabinet Office, and would apply the same rigour and independence, to this research contract.

If you would like to discuss this further or require any additional information or clarification on any of the aforementioned points, then please do not hesitate to contact me.

With all best wishes

Mark

From: [Redacted]

Sent: 29 July 2019 09:41

To: Mark Diffley <[Redacted]>; [Redacted]

Cc: [Redacted]

Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

FAO Mark Diffley, Mark Diffley Consultancy and Research Ltd

1. Thank you, Mark. Further to this, please find attached the proposed contract documentation to reflect the contract between us.
2. I understand that colleagues are intending to make a public announcement of the contract award (possibly tomorrow). To that end, they have asked me to check that you are content for your statement to be released, prefaced by something along the following lines?

“The government has made it clear that members of the Assembly will be broadly representative of the adult population of Scotland in terms of age, gender, socio-economic class, ethnic group, geography and political attitudes and that they will be identified by a process of random selection.

These requirements and the decision-making process for the award of the contract are set out in the ITT. The contract has been awarded to the bid that best meets those requirements and according to that decision-making process. Ministers have had no involvement in the decision making process.

In awarding contracts there is a requirements to consider any potential conflict of interest on the part of bidders which could impact upon their ability to deliver the contract to the specifications required. Officials are aware that Mr Diffley has an association with Progress Scotland and that he has commented in the media on matters relating to its work. Clarification about that association and assurance that there is no conflict of interest between that and the work on the Citizens' Assembly which would call into question the delivery of the requirements of the contract to the standards specified was sought from him.

Mr Diffley provided the following assurance and officials are satisfied that the contract should be awarded.”

3. And there's also one other piece of admin to perform. Can I ask you to complete and return the attached “Data Processor Assessment Form” (which is now a standard requirement for all relevant SG contracts)?

Regards

[Redacted]

From: Mark Diffley <[Redacted]>

Sent: 26 July 2019 09:59

To: [Redacted]; [Redacted]

Cc: [Redacted]

Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

[Redacted] – and in case you wanted the whole response with that inserted, I have done that, below.

All best wishes

Mark

Dear [Redacted],

Thank you for your email below. I left a message on your answer phone but wanted to drop you a fuller note.

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With all best wishes
Mark

From: [Redacted]
Sent: 26 July 2019 09:48

To: [Redacted]; Mark Diffley <[Redacted]>
Cc: [Redacted]
Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

Dear [Redacted],
I can confirm that the sixth paragraph should read that there will not be any overlap between the two studies, as you have indicated.
With all best wishes,
[Redacted]

From: [Redacted]
Sent: 26 July 2019 08:14
To: Mark Diffley <[Redacted]>; [Redacted]
Cc: [Redacted]
Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland

Mark Diffley
Thank you for this response, which I think clarifies the matter satisfactorily. But can I just check that, in your sixth paragraph, you mean to say that there will not be any overlap?
Regards
[Redacted]
Scottish Government

From: Mark Diffley <[Redacted]>
Sent: 25 July 2019 20:03
To: [Redacted]; [Redacted]
Cc: [Redacted]
Subject: RE: Recruitment of Members to the Citizens' Assembly of Scotland
Importance: High

Dear [Redacted],
Thank you for your email below. I left a message on your answer phone but wanted to drop you a fuller note.

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If you would like to discuss this further or require any additional information or clarification on any of the aforementioned points, then please do not hesitate to contact me.

With all best wishes
Mark

From: [Redacted]
Sent: 25 July 2019 12:33

To: Mark Diffley <[Redacted]>; [Redacted]
Cc: [Redacted]
Subject: FW: Recruitment of Members to the Citizens' Assembly of Scotland
Importance: High

FAO Mark Diffley

I refer to my letter of yesterday afternoon regarding the award of this contract.

It has since come to our attention that your organisation has a relationship with Progress Scotland. In the interests of transparency, and given the public interest in ensuring that the process for recruiting members is beyond reproach, we would be grateful if you could provide us with information about the nature of your own and your organisation's relationship with Progress Scotland. Can you also provide details of how you would ensure that an appropriate separation is maintained in terms of that relationship and this contract.

Until these issues are resolved you should continue to avoid any public announcement at this stage.

Regards
[Redacted]

From: [Redacted]
Sent: 24 July 2019 16:53
To: 'Mark Diffley' <[Redacted]>; [Redacted]
Cc: [Redacted]
Subject: Recruitment of Members to the Citizens' Assembly of Scotland
Importance: High

FAO Mark Diffley, Mark Diffley Consultancy and Research Ltd
Recruitment of Members to the Citizens' Assembly of Scotland

Please refer to the attached letter confirming the award of this contract to yourselves. Given that it's now quite late in the afternoon, we are not intending to make any public announcement of this award until tomorrow: we would appreciate if you could do likewise. In the meantime, I understand that my colleague [Redacted] is looking to arrange an inception meeting fairly shortly.

Regards
[Redacted]