

Q1. May I please see all documents relating to your and other senior officials consideration of these other schemes (apart from the 3 mentioned by me) out of the 12 mentioned in the Scottish Government reportage.

The 12 projects referred to in the Heat in Buildings Progress Report 2023 are as follows:

- Crown Office and Procurator Fiscal Service - Elgin
- NHS Forth Valley
- West Lothian College
- Scottish Police Authority
- Edinburgh College
- NHS Orkney
- Loch Lomond
- Crown Office and Procurator Fiscal Service – Edinburgh
- West College Scotland
- Glasgow Kelvin College
- NHS Golden Jubilee
- Scottish Fire and Rescue Service

Funding for the Glasgow Kelvin College project was withdrawn due to both timescales and the college wanting to withdraw clean heating from the scope. You also mention not to include the Loch Lomond and two COPFS projects. Therefore, we have provided in Annex B all documents relating to senior officials' consideration of the other eight projects listed. This includes the grant offer letter signed by Deputy Director Heat in Buildings Delivery for each project alongside email confirmation of authorisation.

An exception under Regulation 11(2) of EIRS – personal information applies to some of the information provided in Annex B as this contains names/contact details of officials below Senior Civil Service level and names of external stakeholders. Additional information which is out with the scope of your request has also been redacted to ensure the specific information you have requested is easily accessible.

Q2. Can I also ask why you did not seek to prevent this scheme from operating in this way, which surely breaches the Scottish public Finance Manual. Do you agree that it does? And if not, why not?

FOISA/EIR only applies to recorded information and not opinions or thoughts of civil servants, unless recorded in a document or email prior to a request. As there are no records of the Permanent Secretary's opinion on whether the Scottish Green Public Sector Estate Decarbonisation Scheme follows the Scottish Public Finance Manual, this information is not eligible under FOISA/EIR. You can find more information on the type of information covered under FOISA/EIR here: [What can I ask for? | Scottish Information Commissioner \(foi.scot\)](#).

Q3. May I finally ask whether you provided any advice to any Scottish Government Minister counselling against these projects or any of them and if so to share the advice with me, and if you did not, did any of your officials do so and if so please share their advice too.

The Scottish Government does not hold any information regarding Scottish Ministers counselling against these projects. Under the terms the exception at regulation 10(4)(a) of the EIR regulations (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not have the information you have requested because schemes are assessed by a technical panel against defined criteria and where a scheme fails to meet the criteria it is rejected by the panel and does not proceed. As such, no advice has been provided to ministers counselling against schemes.