

**Requests**

1) Channels used for contact between Sara Conroy and Professor Jason Leitch  
Please provide copies of all recorded communications between Professor Jason Leitch, or his office, and Sara Conroy, or CSP Scotland, during the period above, relating to massage, sports massage, close contact services, reopening, or the 8 July letter.

This includes, where held:

- emails and attachments
- Microsoft Teams messages
- SMS text messages
- WhatsApp messages
- meeting invites, calendar entries, and any recorded call notes or meeting notes

If messaging records are not held, please confirm this explicitly, and confirm what searches were undertaken to identify whether such records exist.

**Exemption applied**

**Section 38(1)(b) (personal information) of FOISA** applies to some of the information below. The reason why that exemption applies is because it contains personally identifiable information.

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.

**Response**

**Emails and attachments**

*\*\*\*Please note that standard procedure was for correspondence to Jason Leitch to be passed to the relevant policy team to respond; in this occasion Ms Conroy's emails were passed to the Chief Allied Health Professions Officer\*\*\**

**From:** Sara Conroy <conroys@csp.org.uk>

**Sent:** 06 July 2020 17:40

**To:** Leitch J (Jason) <Jason.Leitch@gov.scot>

**Cc:** McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; McQueen F (Fiona) <Fiona.McQueen@gov.scot>; CNOD - Covid 19 <CNOD.Covid-19@gov.scot>

**Subject:** Resuming Massage, Sports Therapy and Physiotherapy



*TO: Jason Leitch - National Clinical Director  
Scottish Government*

***By email***

*Cc Fiona McQueen (CNO) Carolyn McDonald (CAHPO)*

*Dear Jason*

***Resuming Massage, Sports Therapy and Physiotherapy***

*The CSP has noted media reports that massage and sports therapy may now resume in Scotland, and before restrictions are lifted in England.*

*The Scottish Government's Business and Social Distancing Team is quoted in the Herald as stating: "Professional Sports Massage, particularly for pain, can be considered a professional vocational medical service, so it would currently be permissible under the guidance...that you can re-open your business."<sup>[1]</sup>*

*Clearly therapeutic interventions such as massage and sports therapy are also practiced by physiotherapists. However, CSP members, as regulated healthcare professionals, have been following the advice of Health Protection Scotland, which continues to require full PPE, and limiting access for patients.*

*There is therefore some confusion in the independent health sector over the advice and regulations as they apply to therapies such as massage and sports therapy and the difference to the advice and guidance governing regulated as compared to non-regulated health care practitioners. The CSP continues to advise members based on the guidance from the Scottish Government, Health Protection Scotland and the HCPC. We would appreciate clarity on this matter.*

*Kind regards*

*Sara Conroy*

*Professional Adviser for Scotland*

*Chartered Society of Physiotherapy Scotland*

*<sup>[1]</sup> <https://www.heraldscotland.com/news/18560681.sports-massage-therapists-given-go-ahead-work-ahead-england/?ref=fbshr&fbclid=IwAR3I06nCWEb2UbNrK9yASSUIXaBtTwmNDiUyQjKE8oknYU6UAIx2gMsOWc>*

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<sup>[1]</sup> <https://www.heraldscotland.com/news/18560681.sports-massage-therapists-given-go-ahead-work-ahead-england/?ref=fbshr&fbclid=IwAR3I06nCWEb2UbNrK9yASSUIXaBtTwmNDiUyQjKE8oknYU6UAIx2gMsOWc>

**From:** Sara Conroy <conroys@csp.org.uk>  
**Sent:** 08 July 2020 13:59  
**To:** Leitch J (Jason) <Jason.Leitch@gov.scot>  
**Cc:** CNOD - Covid 19 <CNOD.Covid-19@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; McQueen F (Fiona) <Fiona.McQueen@gov.scot>; NSS.HPSenquiries@nhs.net  
**Subject:** PPE advice from PHE - massive difference between the regulated and non-regulated professions

Hi Jason,

Further to my email yesterday, we have received confirmation from PHE re the use of PPE for all health and care contacts, see below. However, in England massage therapy services remain closed. Is there alternative guidance in Scotland for these procedures?

Kind Regards,  
Sara

Sara Conroy BSC, MPH, MCSP

[Redacted]

☐ Tel: [Redacted]

conroys@csp.org.uk

**From:** Linda Hindle <Linda.Hindle@phe.gov.uk>  
**Sent:** 08 July 2020 08:24  
**To:** Natalie Beswetherick <beswetherickn@csp.org.uk>  
**Cc:** [Redacted]; [Redacted] (NHS ENGLAND & NHS IMPROVEMENT - [Redacted]) [Redacted]@nhs.net>  
**Subject:** RE: PPE advice from PHE - massive difference between the regulated and non-regulated professions

**This message originated from outside your organization**

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Hi Natalie

Here is the response I have received to your question

Whilst there is sustained community transmission of COVID-19, PPE is required for all health and care contacts. This advice also applies to private health care. Physios who offer massage as part of an individual's treatment plan should wear the PPE set out in the IPC guidance.

<https://www.gov.uk/government/publications/wuhan-novel-coronavirus-infection-prevention-and-control>

To note also some close contact services, including sport and massage therapy providers, have not been permitted to reopen.

Kind regards

Linda Hindle

Deputy Chief AHP Officer for England  
PHE Lead Allied Health Professional and National Engagement Lead for Public health in Police, Fire and Ambulance Services

**Public Health England,**

[Redacted]

Phone: [Redacted]

PA Support = [Redacted]Tel: [Redacted]

PHE - Protecting and improving the nation's health

Follow on twitter @PHE\_UK @hindlelinda

---

**From:** Linda Hindle <Linda.Hindle@phe.gov.uk>

**Sent:** 06 July 2020 12:36

**To:** Natalie Beswetherick <beswetherickn@csp.org.uk>

**Subject:** RE: PPE advice from PHE - massive difference between the regulated and non-regulated professions

**This message originated from outside your organization**

---

Thanks Natalie

I've forwarded to PHE IPC lead and will let you know the response

Linda Hindle

Deputy Chief AHP Officer for England

PHE Lead Allied Health Professional and National Engagement Lead for Public health in Police, Fire and Ambulance Services

**Public Health England,**

[Redacted]

Phone: [Redacted]

PA Support = [Redacted]Tel: [Redacted]

PHE - Protecting and improving the nation's health

Follow on twitter @PHE\_UK @hindlelinda

**From:** Natalie Beswetherick <beswetherickn@csp.org.uk>

**Sent:** 06 July 2020 12:29

**To:** Linda Hindle <Linda.Hindle@phe.gov.uk>; [Redacted]@nhs.net>

**Cc:** [Redacted]@csp.org.uk>; [Redacted]@csp.org.uk>; [Redacted]@csp.org.uk>

**Subject:** Fwd: PPE advice from PHE - massive difference between the regulated and non-regulated professions

Dear both, we are receiving many reports from members particularly in the independent sector about the level of PPE they should be wearing for face to face consultations. The CSP as you know has been advocating the PHE IPG advice to all our members. However there is massive confusion regarding the advice on PPE for "close contact services" recently released, which includes

hairdressers and sport and massage therapists, which limits the PPE to a face shield only! Please see below cut and pasted from the guidance.

What adds to the confusion is that many physiotherapists utilise massage in their work. So why is there this massive difference of PPE requirement between regulated professions and un-regulated professions? I would appreciate this being escalated to the relevant department for clarification.

1. *'Close contact services*

*Guidance for people who provide close contact services, including hairdressers, barbers, beauticians, tattooists, sports and massage therapists, dress fitters, tailors and fashion designers.'*

*'There is no benefit to either the client or the practitioner of wearing additional PPE to that which they would usually use, beyond the clear visor mentioned above'.*

This is the link to the document

<https://www.gov.uk/guidance/working-safely-during-coronavirus-covid-19/close-contact-services>

Natalie Beswetherick OBE MCSP MBA FCSP

[Redacted]

Sent from my iPad

Begin forwarded

### **Microsoft Teams messages**

The Scottish Government does not have the information you have asked for because Microsoft Teams had not yet been introduced. This has been confirmed by our Information and Technology Services Division.

As such, I hereby provide you with formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

### **SMS text messages**

The Scottish Government does not have the information you have asked for. This has been confirmed by our Covid Inquiry Information Governance Division.

As such, I hereby provide you with formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

### **WhatsApp messages**

The Scottish Government does not have the information you have asked for. This has been confirmed by our Covid Inquiry Information Governance Division.

As such, I hereby provide you with formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

## **Meeting invites, calendar entries, and any recorded call notes or meeting notes**

The Scottish Government does not have the information you have asked for because no such communication took place.

As such, I hereby provide you with formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

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*3) Publication records, timestamp, authoriser, approver, and upload pathway*

*Please provide the publication metadata for the 8 July letter, including:*

- the time and date it was uploaded or published*
- the authoriser and or approver recorded in the system, and the role or team they belonged to where held*
- any audit trail, workflow log, or upload pathway recorded in the gov.scot publishing system*

### **Exemption applied**

**Section 38(1)(b) (personal information) of FOISA** applies to some of the information below. The reason why that exemption applies is because it contains personally identifiable information.

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.

### **The time and date it was uploaded or published**

The letter was initiated on the system on 7 July 2020 at 16:58 and published on 8 July 2020 at 17:55.

### **The authoriser and or approver recorded in the system, and the role or team they belonged to where held**

The Scottish Government's publication system did not have any workflow in terms of formal authorisation/approval in 2020 so the content was required to have been approved prior to submitting to the web team for publication. This has been confirmed by our Digital Communications Division.

### **Any audit trail, workflow log, or upload pathway recorded in the gov.scot publishing system**

**Publication data**

Created by: ██████████@gov.scot

Creation date: July 7, 2020 at 4:58:57 PM BST (DST)

**Revision history** ×

Revisions are created when a document is published.

Click a revision to preview

Date / time	Modified by	Published by	State	Labels	Name
July 8, 2020, 5:58:32 PM	██████████@gov.scot		☺		
July 8, 2020, 5:57:55 PM	██████████@gov.scot		☺		
July 8, 2020, 5:55:42 PM	██████████@gov.scot		☺		

### **Requests**

#### *2) Drafting, clearance, authorisation, and sign off route for the 8 July letter*

*Please provide:*

- *all draft versions of the 8 July letter, including tracked changes and comments where held*
- *any briefing notes, submissions, or internal emails discussing the letter's purpose, scope, wording, or distribution*
- *the names or roles of those who approved and or authorised the final wording, and any recorded approvals, authorisations, or clearance records*

#### *4) Records explaining timing of publication*

*Please provide any recorded information within scope that discusses, proposes, or decides the timing of publication of the 8 July letter, including internal communications or communications planning documents where held.*

### **Exemptions applied**

**Section 38(1)(b) (personal information) of FOISA** applies to some of the information below. The reason why that exemption applies is because it contains personally identifiable information.

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.

**Section 30(b)(i) (free and frank provision of advice) of FOISA** applies to some of the information you have requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank exchange of views. This recognises the need for officials to have a private space in which to conduct frank discussion. This private and safe thinking space is essential to enable all options to be properly considered based on the best available advice so that good decisions can be taken. Premature disclosure is likely to undermine the full and frank discussion of issues between officials, which in turn will undermine the quality of the decision making process, which would not be in the public interest.

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 some public interest in release, as part of open, transparent and accountable government. However, this is outweighed by the public interest in allowing a private and safe thinking space within which officials can conduct frank discussion.

**Section 30(c) (the effective conduct of public affairs) of FOISA** applies to some of the information you have requested. This is to ensure all internal stakeholders are able to

consider and discuss issues and options in a private space before formalising their deliberations and presenting them to Scottish Ministers.

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, this is outweighed by the public interest in allowing the consideration of options to deliver to be undertaken in a private space.

## **Response**

You asked for the names or roles of those who approved and or authorised the final wording, and any recorded approvals, authorisations, or clearance records. As you will see from the information below, it was approved by the following:

Professor Jason Leitch, National Clinical Director  
Dr Gregor Smith, Interim Chief Medical Officer  
Diane Murray, Deputy Chief Nursing Officer

## **Email chain 1:**

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:48  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

I think also comms and dg health since they have been added in to Jason L email trail? What about spads?

[Redacted]– few asks of you please –

- we need to think about how to ensure that this letter is used in relation to all SG queries from close contact therapists, and we know there are queries sitting with other areas – could you have a think about how best to do this? (eg possibly sending standard response/line to all relevant hubs, plus our key contacts?).
- Could you also draft a letter to reply to the SMTO correspondence from [Redacted] (of 28 June) – not sure who it's sitting with, but I think we urgently need to send out the response once the letter is 'live' on the sg website pointing them to the letter. (might be able to use what [Redacted] in comms is working on for this).
- Could you also arrange for a reply to be drafted to the 2 bits of correspondence from CSP to Jason L of Monday and today (attached).

Thanks, [Redacted]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG |  [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 15:35

**To:** Murray D (Diane) <Diane.Murray@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Diane,

[Redacted – section 30(b)(i)]

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG

[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 15:30

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Add in the DCMO box as well incase CMO not about, useful anyway for their info  
Carolyn

? [Redacted]

? [Redacted]

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 15:23

**To:** [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Will do [Redacted], assuming DCNO, CMO, NCD, for copy list....missing anyone?

[Redacted]

[Redacted] | AHP Policy Officer |

Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |

Regent Road | Edinburgh | EH1 3DG |  [Redacted] |

 [Redacted]@gov.scot



**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:21  
**To:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Thanks [Redacted]. If you could pull that into a formal 'to note' submission with copy list etc. if needs be in email to Jason L I can say note will be formatted into submission.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | ☎ [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:19  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Redacted], It's stuck saving in my laptop right now, I'll get it back to you as soon as I can.

I checked with the PO as you asked and they have advised that it should be sent up as a formal submission.

[Redacted]

[Redacted] | AHP Policy Officer |  
Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | ☎ [Redacted] |  
✉ [Redacted]@gov.scot



**From:** Murray D (Diane) <Diane.Murray@gov.scot>  
**Sent:** 08 July 2020 15:13  
**To:** [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Hi [Redacted],

I think that this needs to be a bit stronger in terms of do not open but you can advise if we are not able to say this.

Regards

Diane

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:12  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Thanks [Redacted]. [Redacted] could you tidy up and accept changes urgently so I can attach to email to Jason et al. Ta,

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:10  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Good piece of work, [Redacted]. Some suggestions tracked in the attached version, otherwise content.

[Redacted].

**Attachment – [Redacted – 30(c)]**

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 14:48  
**To:** Murray D (Diane) <Diane.Murray@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: Close contact - next steps  
**Importance:** High

Diane,

Attached letter for your consideration, as advised by [Redacted].

**Attachment – [Redacted – 30(c)]**

Thanks.

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG

[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 14:36

**To:** [Redacted]@gov.scot>; [Redacted]gov.scot>; v@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Folks here is the revised Information note to the Cab Sec/FM for comment.

**Attachment – [Redacted – 30(c)]**

[Redacted]

[Redacted] | AHP Policy Officer |

Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted]

✉ [Redacted]@gov.scot



**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 14:33

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

**Importance:** High

[Redacted – section 30(b)(i)]

Revised version now attached. [Redacted], can I ask you to tidy up the formatting in the letterhead before it goes? The logo has gone awry and there is way too much space – thanks!. Also, I've emphasised that UK guidance doesn't apply but I haven't linked to the current guidance – feel free to pop in a reference as appropriate in the final paragraph.

**Attachment – [Redacted – 30(c)]**

[Redacted].

[Redacted] Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 13:42  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Thanks [Redacted], and agree with [Redacted] points. I also wondered about the highlighted section of the following line:

What we can say with certainty is that, during the early phases, the focus should remain firmly on the provision of essential and urgent care, and NHS Scotland stands ready to deliver this.

I thought independent/private practitioners were also providing essential and urgent care where necessary and with the necessary precautions? If so, maybe we should acknowledge this?

### Best wishes

[Redacted]  
[Redacted] | Nursing & Midwifery Policy Unit | Chief Nursing Officer Directorate | The Scottish Government | Room 2ER | St Andrews House | Regent Road | Edinburgh | EH1 3DG 📞  
[Redacted] ✉ [Redacted]@gov.scot | Mobile [Redacted]

I AM WORKING FROM HOME ON [Redacted]

**From:** [Redacted]  
**Sent:** Wednesday, 8 July 2020 13:40  
**To:** [Redacted]; [Redacted]; [Redacted]; [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Close contact - next steps

OK – so I think we have what we need – [Redacted], could I ask you (or [Redacted]/ [Redacted]/ [Redacted]) to send the note with letter attached and [Redacted] can text Diane? I'm keen not to be the person for the copy list to come back because I have to get Primary Care, DiS and finance things agreed in next 2.5 hours as well as this – thank you!

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 13:37  
**To:** Robinson [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

I agree too.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 13:35  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

I think that's best. It will reach the intended recipient however it plays out, so a Tweet could come across as confrontational.

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 13:33  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Redacted]

Thank you – v small tweak suggested below, and I think it is a no to tweeting – bit of a compromise with Comms, we'll have it online but not actively draw attention through social media.

[Redacted].

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 13:28  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: Close contact - next steps  
**Importance:** High

Thanks [Redacted]. Some quick initial thoughts – I think this is great and very well crafted – no mean feat [Redacted]- agree. I wonder, however whether message

therapists would consider themselves as complimentary/alternative – so whether we should refer to some examples – for example massage, facial fillers etc to indicate the wide range of therapies we are covering? (and bring on the ‘hands on’ aspect nearer the start of the letter). Also, instead of saying ‘independent’ I wonder if it might be better to say ‘private’ [Redacted]- agree (to distinguish that we’re not taking NHS here, but much wider than the ‘independent’ providers regulated by HIS?). in terms of last para about reopening and satisfy guidance –think we need to add in ‘SG Guidance’ cos they might think that their own sector body is ok.

Also would it be worth adding in that SG getting increasing numbers of queries from private practitioners from a range of therapies so letter is to update/provide clarity? [Redacted] - agree I expect that NCD might want something a bit stronger saying that current advise is they should be shut and that that advice remains (obv followed by the bit about it you do open...)

[Redacted] | Chief Nursing Officer’s Directorate | The Scottish Government | 2ER | St Andrew’s House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 13:10

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

**Importance:** High

Hi All,

Draft letter attached. All views welcome. (not sure who to address it to!)

**Attachment – [Redacted – 30(c)]**

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer’s Directorate | Scottish Government | St Andrew’s House, Regent Road, Edinburgh, EH1 3DG

[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 13:18

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

**Importance:** High

Here is the suggested email to Jason, Diane and Gregor. Suggest email sent as reply all to [Redacted]’s email of 1404 yesterday (attached) (because the chain

[Redacted] has replied do doesn't have Jason & Gregor agreeing with us) but changing subject line to highlight action needed, and adding in comms ([Redacted], [Redacted], [Redacted] and [Redacted]) as well as Exit Strategy ([Redacted]). I haven't mentioned anything about the 'SG quote' in this covering email since it will be in Cab Sec/FM note but let me know if you think sensible to mention here also.

Spoke to [Redacted] and comms content with our proposed publication approach.

[Redacted]

Jason, Gregor, Diane,

Following your advice yesterday, please find attached a letter for your agreement which restates current SG position on the operation of non-regulated close contact services. We recommend that this letter should be sent out only in the name of National Clinical Director to avoid the risk of conflating these unregulated close-contact services with medical or nursing services.

Once you are content, we will arrange for this to be published on SG website **today**. The intention is for this letter to provide SG with a single authoritative position which Comms will direct the Herald journalist to in relation to their outstanding query of yesterday, and to which SG can point all correspondents (including the SMTO - we received a letter last week asking for information on when their members would be able to restart). We do not propose to send this letter out to a stakeholder distribution list because this is an area for which we do not have a definitive list of stakeholders, and therefore those who we did not send the letter to may wrongly conclude it does not apply to them. SG are now receiving a significant number of queries from massage and other therapists and we believe that the responses to these queries will quickly raise awareness of this letter.

We intend to send up the attached note for awareness to Cab Sec and FM today, in case this is raised with them. Because this is a clinical matter, and the letter does not change SG position- it merely reiterates and clarifies it- we do not consider that it needs to be cleared by Cab Sec or FM.

In terms of progressing work on a date for re-opening, as agreed, CNOD colleagues will ask PAG for clinical advice, and will send separate advice to Ministers after we have PAG input. This issue has not formed part of the consideration of Health changes for Thursday's Phase 3 announcement. Based on this, and the current lack of clinical evidence to agree a date, we recommend that no change be trailed in the announcement on Thursday and have advised Exit Strategy colleagues that this should not form part of tomorrow's Phase 3 announcement. It is worth noting that once clinical advice supports an opening date, any mention of this issue in terms of the phases of the routemap, including indicative opening date, wouldn't sit with the Health measures but would sit under Retail.

Appreciated if you could urgently confirm you are content with the letter and the approaches outlined above.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 11:12  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | AHP Policy Officer |  
Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted] |  
✉ [Redacted]@gov.scot



**From:** [Redacted]  
**Sent:** 08 July 2020 10:40  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Hi all,

Just a further update, not long off the phone to [Redacted] from the Comms team, they are of the opinion that this should be low key and the letter should be sent to "whoever it needs to go to" and not published on the web.

[Redacted] I hope you don't mind but I've said to [Redacted] that you'll go back to her following on from our 11.30 call as you have been liaising with her through this and keeps a consistent point of contact.

[Redacted] I'll hold back on the template until after the call.

[Redacted]

[Redacted] | AHP Policy Officer |  
Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted] |  
✉ [Redacted]@gov.scot



**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 10:18  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]  
**Sent:** 08 July 2020 08:59  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 23:26  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 20:48  
**To:** [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 20:24  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 20:20  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House |  
Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 19:59  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

[Out of scope of request]

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 19:50  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Close contact - next steps

Just to update on where we're currently at, and what's still to be done with some suggestions for the outstanding items, and the addition of 3 new items at the end of the list (which has been helpful in getting my head back into this after my late lunch!)  
—

I'll have a look at the FMQ [Redacted] has drafted and the covering note for DCNO, CMO and NCD.

What we need now:

- Draft letter for DCNO, CMO & NCD to sign restating position that close contact services should remain closed at this stage [Redacted] working on, [Redacted] first draft of covering note ([Redacted] 19.17)
- Agreed letter to be sent out via usual comms routes inc. on SG website – [Redacted] liaising with webteam. [Redacted] emailed [Redacted] in comms to ask for their help to send out via usual comms routes ([Redacted] email 19.39). Need to identify what other channels it should be sent through – possibly list of stakeholders in table drafted by [Redacted] and [Redacted] and sent to [Redacted] by [Redacted] at 13.33? How will we find email addresses for them all – suggest possibly someone on [Redacted]side (for CAM) and [Redacted] (for AHP and message) to pull together on Wednesday morning?
- Specific letter to SMTO / SMA?
- Response to Herald? [Redacted] will issue on Wednesday – suggest it simply points to CMO/NCD/DCNO letter (so need weblink for that). **To be drafted**
- Briefing for awareness only to Cab Sec Health and FM setting out why we have published letter, and offering lines to take in case it is raised at presser do we need to clear letter via Cab Sec? those signing can advise- We'd thought not necessary because letter is clinical advice – agree ([Redacted]). **To be drafted**
- [Out of scope of request]
- [Out of scope of request]
- [Out of scope of request]
- [Out of scope of request]
- [Out of scope of request]
- [Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | ☎ [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 19:17

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Am stepping away from laptop now but have phone because am on call so available if needed but now need to not look at screen!

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]

**Sent:** 07 July 2020 19:12

**To:** [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Hello – draft email for CMO, DCNO, NCD below. My brain is fuzzy so it's not great and your input v much appreciated. My thought was to do this via reply all on [Redacted]'s email of 1404 (because the chain [Redacted] has replied do doesn't have Jason & Gregor agreeing with us) but changing subject line to highlight action needed. Thoughts on that also welcome (maybe better to start a fresh chain with same cc list?)

Gregor, Jason, Diane

Please find attached a letter for your agreement which restates current SG position. Once you are content, we will arrange for this to be issued via comms colleagues and published on SG website. This will allow us to respond to all open correspondence cases, and to respond to the Herald journalist. We will also send up a note for awareness to Cab Sec and FM.

Regarding inclusion in Phase 3: any mention of this issue in the routemap, including indicative opening date, wouldn't sit with the Health measures but would sit under Retail. As agreed CNOD colleagues are asking PAG for clinical advice, and we advised the Cab Sec on Friday 3 July that further information would be provided to her in relation to whether the clinical evidence is now supportive, but as you'll be aware this issue has not formed part of the consideration of Health changes for Thursday's Phase 3 announcement (agreed by Cab Sec this evening). We therefore suggest no change be trailed in the announcement on Thursday and we send separate advice to Ministers after we have PAG input. It is likely practitioners will be looking for something but we will have the letter to point to. Appreciated if you could confirm you are content with that approach.

[Redacted] Chief Nursing Officer's Directorate

**From:** [Redacted]gov.scot>

**Sent:** 07 July 2020 18:10

**To:** [Redacted]gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

I'm just about to log off for a bit for some lunch!?! [Redacted] is carrying on with drafting the letter. Let me know what I can most usefully pick up when I log back on in a bit – not sure what you've been working on [Redacted]. I'll swap my non working day this week so I can work tomorrow.

[Redacted] Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG |  [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 17:49

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Hello

Doable – there's a question. Not sure who else we could bring in but think our next step is sending the draft letter to Diane, Jason and Gregor and including some additional asks for their advice on:

- Briefing to Cab Sec/FM
- Possible inclusion in Phase 3, recognising Health measures were cleared by Cab Sec today – and that while we need clinical advice on this, it's the retail section of the routemap this would sit in so which Minister(s) do we assume would clear?

[Redacted].

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 17:25

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; Robinson [Redacted]@gov.scot>;

[Redacted]@gov.scot>

**Subject:** RE: Close contact - next steps

Thanks [Redacted] and to all for moving this along, as I know it is your current full time job!

Is this all doable? Do you need to bring anyone else in, not sure who.

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 16:35

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>

**Subject:** Close contact - next steps

All – trying to capture where we are and what next – your thoughts and additions here appreciated. [Redacted], bringing you in as fresh eyes as well as for awareness!

Where we are:

- SMTO and SMA have published guidance telling their members SG allows them to reopen to provide pain management services from 6 July (this reported in The Herald and shared widely on social media)



[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>

**Subject:** RE: FOR URGENT CLEARANCE TODAY: Advice on the Opening of Close Contact Services

We are pulling together a media line that makes it clear that the government's strong guidance is that they should remain closed.

The Herald journalist is understandably also perplexed, as the regulatory body SMTO – has claimed they have received guidance from us, that they can restart services.

Dear SMTO Members,

I have some great news specifically for QUALIFIED REMEDIAL & SPORTS MASSAGE THERAPISTS; I have received correspondence from the Scottish Government which states:

**“... the Scottish Government's Business and Social Distancing Team ... have been informed that professional Sports Massage, particularly for pain, can be considered a professional vocational Medical Service, so it would currently be permissible under the guidance ... that you can reopen your business.”**

However, there are STRICT conditions which must be adhered to, if you chose to go back to work at this point.

**Those who can legally return to work on Monday includes those with the following qualifications:**

- Level 4 / SCQF level 8 - **Remedial & Sports Massage** therapists holding a diploma qualification that took them 8-9 month to attain, most typically delivered by Scottish Massage Schools, Western School and AMTS
- Level 4 / SCQF level 8 - **Sports Event Massage / Therapy** therapists holding a diploma qualification that took them 6 months to attain, delivered by Scottish Massage Schools
- Level 4 / SCQF level 8 - **Sports Therapy** (including HNC in Soft Tissue Therapy, HND in Sports Therapy) delivered by Glasgow, Edinburgh, Inverness and Perth Colleges
- Level 5 - **Advanced Remedial Massage** therapists holding a diploma qualification that took them 11-12 months to attain, most typically delivered by Scottish Massage Schools and AMTS
- SCQF Level 9 - **BSc in Sports Therapy** - delivered by Perth College UHI
- SCQF Level 10 - **BSc (Hons) in Sports Therapy and Rehabilitation** - delivered by Perth College UHI
- **Manipulative Therapy** therapists

It must be stressed that a 'qualification' from the above list means that the individual has completed case studies, homeworks & assignments, theory and practical exams for that particular qualification. Regardless of CPD, at this time, **only therapists with a qualification from the above list may return to work from Monday 6th July 2020.**

The following therapists do not yet meet requirements, therefore need further guidance from The Scottish Government before returning to work:

- Level 3 - Swedish / Holistic / Therapeutic Massage therapists – regardless of CPD
- Level 3 - Sports Massage therapists – regardless of CPD

Hopefully, the time for you to return to work is not far away but it will be at some point after the 23rd July. I will keep you posted.

### **Returning to work – conditions which must be adhered to at all times.**

For those of you now able to return to work, there are strings attached! Please understand that this is not an allowance to go back to normality, as there are many restrictions still in place and only certain types of treatment will be allowed to go ahead.

1 - The return to work is to only to treat **clients / patients who are in pain**, and you must be able to justify that your specific Remedial & Sports massage treatments can reduce your client's pain. Please inform your clients of this when you email your client base. I'm sure a lot of them will then choose their words carefully when they reply to you to book.

2 - You **MUST, MUST, MUST** follow Government guidelines and **complete a risk assessment of your clinic space**. Any risks identified, must be mitigated before you return to work. Also, **you must DOCUMENT your risks and the changes you are putting in place**.

3 - You **MUST** adhere to **Hygiene for Close Contact Work Guidance**:

<https://assets.publishing.service.gov.uk/media/5ef2889986650c12970e9b57/Keeping-workers-and-clients-safe-during-covid-19-close-contact-services-230620.pdf>

As this return to work comes earlier than expected, it means that you will have to comply with the guidance for this phase of returning to work in the same manner as for Physiotherapists, Osteopaths and Chiropractors. **This means wearing PPE** – mask, visor and aprons – and cleaning of surfaces, to mitigate the risks of being within the 2 metres of another person that Scotland still adheres to.

4 - You **MUST screen your clients** and ask them to **complete a Covid-19 disclaimer** before they come to your clinic. This has been agreed by my lawyer and must be adhered to.

5 - **Reduction in face-to-face appointment length** – do as much of your consultation and assessment before the client comes to your clinic. Keep your massage activity time as short as possible, no more than 30-45 mins max.

6 - I cannot stress enough how **important hand hygiene** is now, more than ever. Please ensure that you thoroughly wash your hands (for at least 20 secs) before and after every patient. Every patient should be met with a mask and hand sanitiser when you welcome them into your clinic.

### **Issues with working from home**

Those of you working from home must also adhere to social distancing rules which currently state that 2 other households can come together outside only.

But from the 10th July, in Scotland, these 2 other households will be able to meet indoors. This may impact on the number of clients you can treat each day:

- Having a **designated workspace** separate from the rest of your domestic house enables you to carry on as detailed in points 1-6 above. If your home clinic space has a separate entrance or is right next door to your client's entry point to your house, then you can call this space 'workspace', as long as it does not interfere with anyone else in your household.

- However, if your client enters your house and has to walk through your home to get to your treatment room, then **you cannot return to work until Government guidelines enable you to have up to 2 other households enter your home each day**. This will be from 10th July. This will limit the number of clients you can see each day to only 2. Consider moving your treatment room to another part of your house to comply with Government guidelines.

### **Balens Insurance**

Over the past couple of days I have been in correspondence with David Balen and he has confirmed that **from Monday 6th July 2020, all SMTO members who hold a Level 4 Remedial and Sports Massage qualification or above, and holds SMTO/Balens Insurance policy, can return to work as long as they adhere to the above guidelines.**

You do not need to individually call Balens. I have done this for you already. Remember, to validate your SMTO/Balens insurance, you **MUST** make sure your **SMTO membership is ACTIVE**.

If you do not hold insurance with Balens, then you must get in touch with your own insurer, to confirm that you are fully covered, before returning to practice.

### **Critical point for the massage / soft tissue industry**

I cannot stress enough, what an important and critical point for our industry this is. A lot of trust is being placed on Remedial & Sports Massage Therapists to adhere to hygiene guidelines, in order to keep their clients safe. Please do not let me and the industry down!

If you're not sure if you qualify to go back to work, or have any queries regarding this information, then please get in touch and we can have a look at your training to confirm your current position, before you return to treating any patients.

**From:** Chief Medical Officer <CMO@gov.scot>

**Sent:** 08 July 2020 17:10

**To:** [Redacted]@gov.scot>; DCMO Health COVID19

<DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>;

Murray D (Diane) <Diane.Murray@gov.scot>; Chief Medical Officer  
<CMO@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock  
LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>;  
McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health)  
<John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McDonald C  
(Carolyn) <Carolyn.Mcdonald@gov.scot>

**Subject:** RE: FOR URGENT CLEARANCE TODAY: Advice on the Opening of Close  
Contact Services

Content, but a little perplexed at the information that has previously been shared with  
parliamentarians.

**Dr Gregor Smith**  
**Interim Chief Medical Officer for Scotland**  
**Scottish Government**

Room [Redacted] St Andrews House  
Regent Road Edinburgh EH1 3DG  
Telephone: [Redacted]

Twitter: @DrGregorSmith

**From:** Murray D (Diane) <Diane.Murray@gov.scot>

**Sent:** 08 July 2020 16:45

**To:** [Redacted]@gov.scot>; DCMO Health COVID19  
<DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>;  
Chief Medical Officer <CMO@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock  
LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>;  
McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health)  
<John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McDonald C  
(Carolyn) <Carolyn.Mcdonald@gov.scot>

**Subject:** RE: FOR URGENT CLEARANCE TODAY: Advice on the Opening of Close  
Contact Services

Content and thanks to team for progressing same.

Regards

Diane

**From:** Leitch J (Jason) <Jason.Leitch@gov.scot>

**Sent:** 08 July 2020 16:28

**To:** [Redacted]@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Murray D (Diane) <Diane.Murray@gov.scot>; Chief Medical Officer <CMO@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health)

<John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>

**Subject:** RE: FOR URGENT CLEARANCE TODAY: Advice on the Opening of Close Contact Services

content

**Professor Jason Leitch CBE**

**National Clinical Director**

[Redacted]

@jasonleitch

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 16:19

**To:** DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>; Murray D (Diane) <Diane.Murray@gov.scot>; Chief Medical Officer <CMO@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>[Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; Bain MB (Marion)

<Marion.Bain@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>

**Subject:** FOR URGENT CLEARANCE TODAY: Advice on the Opening of Close Contact Services

**Importance:** High

Jason, Gregor, Diane,

Following your advice yesterday, please find attached a letter for your agreement which restates current SG position on the operation of non-regulated close contact services. We recommend that this letter should be sent out only in the name of National Clinical Director to avoid the risk of conflating these unregulated close-contact services with medical or nursing services.

Once you are content, we will arrange for this to be published on SG website today. The intention is for this letter to provide SG with a single authoritative position which Comms will direct the Herald journalist to in relation to their outstanding query of yesterday, and to which SG can point all correspondents (including the SMTO - we received a letter last week asking for information on when their members would be able to restart). CNOD will also use it to tie off the 2 outstanding pieces of correspondence from CSP to you of Monday and today. We do not propose to send this letter out to a stakeholder distribution list because this is an area for which we do not have a definitive list of stakeholders, and therefore those who we did not send the letter to may wrongly conclude it does not apply to them. SG are now receiving a significant number of queries from massage and other therapists and we believe that the responses to these queries will quickly raise awareness of this letter.

We intend to send up the attached note (in the form of a submission) for awareness to Cab Sec and FM today, in case this is raised with them. Because this is a clinical matter, and the letter does not change SG position- it merely reiterates and clarifies it- we do not consider that it needs to be cleared by Cab Sec or FM.

In terms of progressing work on a date for re-opening, as agreed, CNOD colleagues will ask PAG for clinical advice, and will send separate advice to Ministers after we have PAG input. Officials have just been informed by DHSC that their regulations will be revised again from Monday (announcement expected tomorrow). Changes are expected to allow massage therapists and beauty salons to open (in England only), which will potentially put this centre-stage.

This issue has not formed part of the consideration of Health changes for Thursday's Phase 3 announcement. Based on this, and the current lack of clinical evidence to agree a date, we recommend that no change be trailed in the announcement on Thursday and have advised Exit Strategy colleagues that this should not form part of tomorrow's Phase 3 announcement. It is worth noting that once clinical advice supports an opening date, any mention of this issue in terms of the phases of the routemap, including indicative opening date, wouldn't sit with the Health measures but would sit under Retail.



[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

[Redacted]

If relating to businesses operating with key workers please Cc [Redacted]@gov.scot

[Redacted]– Lead for Business & Physical Distancing (BuPhyD)

Scottish Government | 5 Atlantic Quay | Glasgow G2 8LU

Tel: [Redacted] | Mob: [Redacted] | e: [Redacted]@gov.scot

---

**From:** Chief Medical Officer <CMO@gov.scot>

**Sent:** 07 July 2020 13:58

**To:** Leitch J (Jason) <Jason.Leitch@gov.scot>; Murray D (Diane) <Diane.Murray@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

This is the answer I gave at the presser last week.

**Dr Gregor Smith**  
**Interim Chief Medical Officer for Scotland**  
**Scottish Government**

Room [Redacted] St Andrews House  
Regent Road Edinburgh EH1 3DG  
Telephone: [Redacted]

Twitter: @DrGregorSmith

**From:** Leitch J (Jason) <Jason.Leitch@gov.scot>

**Sent:** 07 July 2020 13:52

**To:** Murray D (Diane) <Diane.Murray@gov.scot>; Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>;

Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

I agree...unregulated 'therapy' should not be opening. They are non essential.

**Professor Jason Leitch CBE**

**National Clinical Director**

[Redacted]

@jasonleitch



**From:** Bain MB (Marion) <Marion.Bain@gov.scot>

**Sent:** 07 July 2020 13:25

**To:** Murray D (Diane) <Diane.Murray@gov.scot>

**Cc:** Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19

<DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>; Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John)

<John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]r2@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

Hello Diane

I share your concern, and had also not been aware this was the intention.

This does not align with the level of risk we have been prepared to accept at this stage, and permits a level of physical contact far beyond that in the other changes coming into play today and later on in Phase 3. In addition other relaxations of lockdown have required detailed guidance/mitigations to minimise risks of transmission – and that seems essential.

[Redacted] had been in touch with me about local questions on this last week and her points are helpful – email attached.

Kind regards  
Marion

**Professor Marion Bain**

**Interim Deputy Chief Medical Officer  
Scottish Government**

*Mob:* [Redacted]

**Email attachment:**

[Out of scope of request]

**From:** [Redacted]@gov.scot> **On Behalf Of** DCMO Health COVID19  
**Sent:** 07 July 2020 12:33  
**To:** [Redacted]@gov.scot>  
**Cc:** DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>  
**Subject:** FW: URGENT: Advice on the Opening of Close Contact Services

For awareness.

[Redacted] | Private Secretary to the Deputy Chief Medical Officers | St Andrews House | Regent Road | Edinburgh | EH1 3DG | M: [Redacted] | T: [Redacted]

*I am working a shift pattern that varies each day. If I am offline please contact the [DCMO mailbox](#) or call my mobile.*

**From:** Murray D (Diane) <Diane.Murray@gov.scot>  
**Sent:** 07 July 2020 12:32  
**To:** Chief Medical Officer <CMO@gov.scot>; DCMO Health COVID19 <DCMOHealth.COVID19@gov.scot>; Leitch J (Jason) <Jason.Leitch@gov.scot>; Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn)

<Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

Dear Gregor and Jason,

I have received this from the team this afternoon and I am concerned that this sector is opening. I have not seen any detailed guidance on this. I worry that this also leaves the door open to aesthetic practitioners.

I would be grateful for your advice on same.

Regards

Diane

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 12:20

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John)

<John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>;

Murray D (Diane) <Diane.Murray@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

Hi all

[Out of scope of request]

Regarding the live situation we have – that based on SMTO guidance, practitioners have reopened – I remain of the view that we need urgent Director level input on how to manage it and the risks associated. I have copied in Diane Murray (DCNO) in CNO absence to ask for her advice on next steps.

Diane – risks highlighted below, and note [Redacted] suggested lines to take as a holding position.

Thank you

[Redacted]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 12:17  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services  
**Importance:** High

[Out of scope of request]

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 11:53  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

Thanks, [Redacted]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 11:25  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

[Redacted]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 11:19

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John)  
<John.Harden@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG

[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 11:14

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John)  
<John.Harden@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 11:03

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Harden J (John)  
<John.Harden@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services  
**Importance:** High

[Out of scope of request]

[Redacted]

Team Leader

Quality and Safety Policy

**Mobile:** [Redacted] **e-mail:** [Redacted]@gov.scot

*My current working from home pattern varies across the week – please call me if it is urgent*



**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 10:30

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

Hi [Redacted],

[Out of scope of request]

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG

[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 10:05

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

Hello All,

[Out of scope of request]

Best wishes

---

[Redacted]

Team Leader

Quality and Safety Policy

**Mobile:** [Redacted] **e-mail:** [Redacted]@gov.scot

*My current working from home pattern varies across the week – please call me if it is urgent*



**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 09:53

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>

**Cc:** C[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: URGENT: Advice on the Opening of Close Contact Services

[Out of scope of request]

[Redacted]

If relating to businesses operating with key workers please Cc [Redacted]@gov.scot

[Redacted]– Lead for Business & Physical Distancing (BuPhyD)

Scottish Government | 5 Atlantic Quay | Glasgow G2 8LU

Tel: [Redacted] | Mob: [Redacted] | e: [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 09:46

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** URGENT: Advice on the Opening of Close Contact Services  
**Importance:** High

Colleagues

[Out of scope of request]

[Redacted] | Unit Head | Chief Nursing Officer's Directorate | Scottish Government  
**I am working from home and contactable via mobile or email as follows:**  
Phone [Redacted]  
Email [Redacted]@gov.scot

---

### Email chain 3:

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 17:16  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Hi [Redacted]

Appreciate your concerns and need for urgency but asking if you could hold til 1730 – [Redacted] is putting up the note now to Ministers & SpADs so we can cross ref.

We can't commit to a date for publishing assessment.

Have highlighted a change I've proposed to line below in red, the letter is not specifically to people – we have concerns that specifying groups leaves us open to people not listed thinking it doesn't apply to them.

Thanks  
[Redacted]

[Redacted] | Chief Nursing Officer's Directorate

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 17:05  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

I'm going to put this line up to SpAds at 17.20 if no comments.

[Redacted]

**From:** [Redacted]

**Sent:** 08 July 2020 16:44

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

I have real concerns with the letter though, and the link to it on it's own will not help. The key and pivotal point of the letter i.e. that they should remain closed is not until the 4<sup>th</sup> para? I don't think it's clear. We definitely need a line that spells that out much more obviously.

When are we going to publish our assessment?

A Scottish Government spokesperson said:

"We don't want businesses to remain closed for a moment longer than they need to, however public health must come first. The Scottish Government's strong guidance is that massage therapists and therapy businesses should remain closed for the time being. **The National Clinical Director has reiterated our guidance on that today** [LINK].

"We recognise that many people gain relief from their symptoms through massage therapies and complementary and alternative therapies, which are also an important part of the economy. However, the focus for any healthcare providers should remain firmly on the provision of essential and urgent care, and NHS Scotland is open for anyone requiring such treatment.

"We understand that this is difficult for many businesses, and work is being undertaken to assess clinical evidence of the risk of transmission for private therapies which involve close personal contact for extended periods and we will amend our official advice at the earliest opportunity, based on the outcome of that assessment."

**From:** [Redacted]

**Sent:** 08 July 2020 16:12

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

That's fine, although the story will be published tomorrow, and its unlikely that she'd do a follow up.

Could any suggestions to the lines be made directly to them please?

“We don’t want businesses to remain closed for a moment longer than they need to, however public health must come first. The Scottish Government’s strong guidance is that massage therapists and therapy businesses should remain closed for the time being. The National Clinical Director has written to massage and complimentary therapy services to reiterate that. We recognise that many people gain relief from their symptoms through massage therapies and complementary and alternative therapies, which are also an important part of the economy. However, the focus for any healthcare providers should remain firmly on the provision of essential and urgent care, and NHS Scotland is open for anyone requiring such treatment.

“We understand that this is difficult for many businesses, and work is being undertaken to assess clinical evidence of the risk of transmission for private therapies which involve close personal contact for extended periods and we will amend our official advice at the earliest opportunity, based on the outcome of that assessment.”

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 16:06


**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

I would be keen that our line is able to refer to NCD letter if at all possible timing wise. If this line has to go out before NCD letter published could the link then be sent to the journalist as a follow up?

[Redacted] | Chief Nursing Officer’s Directorate | The Scottish Government | 2ER | St Andrew’s House | Regent Road | Edinburgh EH1 3DG |  [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 16:04

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

Thanks [Redacted],

Understand that. What did you think of the lines? And is there a draft note to Cab Sec? If so, we should try and put the line to her at the same time so she can consider them together.

[Redacted]

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 16:00

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Hi [Redacted],

[Redacted – section 30(b)(i)]

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:31  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; News Desk <Newsdesk@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Thanks [Redacted] & [Redacted],

I am not 100% sure that this does make it hugely clear for sports massage therapists? The bit about them remaining closed is buried in the middle of it. Do we not need to be clearer that we expect them to remain closed?

Perhaps our line could say

“We don't want businesses to remain closed for a moment longer than they need to, however public health must come first. The Scottish Government's strong guidance is that massage therapists and therapy businesses should remain closed for the time being. We recognise that many people gain relief from their symptoms through massage therapies and complementary and alternative therapies, which are also an important part of the economy. However, the focus for any healthcare providers should remain firmly on the provision of essential and urgent care, and NHS Scotland is open for anyone requiring such treatment.

“We understand that this is difficult for many businesses, and work is being undertaken to assess clinical evidence of the risk of transmission for private therapies which involve close personal contact for extended periods and we will amend our official advice at the earliest opportunity, based on the outcome of that assessment.”

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 15:15  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;

[Redacted]@gov.scot>; [Redacted]@gov.scot>  
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>  
Subject: RE: (Case Ref: CS11492)

[Redacted] my apologies for the delay, is this better for you.

[Redacted]

[Redacted] | AHP Policy Officer  
Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted] |  
✉ [Redacted]@gov.scot



From: [Redacted]@gov.scot>  
Sent: 08 July 2020 14:54  
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>  
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
Subject: RE: (Case Ref: CS11492)

Draft attached.

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish  
Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**Attachment – [Redacted – 30(b)(i)]**

From: [Redacted]@gov.scot>  
Sent: 08 July 2020 14:53  
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>  
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
Subject: RE: (Case Ref: CS11492)

It would be helpful to see it before then actually, as I will still have to write a line. Can I see the draft version?

From: [Redacted]@gov.scot>  
Sent: 08 July 2020 14:51  
To: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>  
Cc: [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
Subject: RE: (Case Ref: CS11492)

Hi [Redacted],

Letter for Jason Leitch and note for Cab Sec/FM are just been finalised.

I've copied in my colleague [Redacted] who has been liaising with the webteam to ensure we can get the letter published on the SG website today. He will provide you with a link to it for the Herald Journalist as soon as he can.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | ☎ [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 14:46

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

Hi team,

Any progress on the letter/note to Cab Sec? Conscious that time is marching on.

[Redacted]

**From:** [Redacted]

**Sent:** 08 July 2020 13:26

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

That's helpful, thanks. It would be good to see the letter before it goes to Cab Sec, as I can use that to draft lines.

Cheers,

[Redacted]

**From:** [Redacted]@gov.scot>

**Sent:** 08 July 2020 13:16

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: (Case Ref: CS11492)

[Redacted],

I have confirmed with DHSC counterparts that there is no such statute. The legislation refers to "other healthcare services". It appears likely that SMTO has

relied on the term, *professional vocational health service* (or very similar) in an earlier version of UKG guidance, which has since been amended to remove that term.

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)

**From:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Sent:** 08 July 2020 13:03

**To:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Cc:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Subject:** RE: (Case Ref: CS11492)

Hi [Redacted],

Officials are in the process of drafting a letter from Jason Leitch to go out this afternoon to massage therapists. This will set out our current position and guidance. Can you give me a quick call and I'll chat you through things?

Thanks,

[Redacted]

**From:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Sent:** 08 July 2020 12:58

**To:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Cc:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Subject:** RE: (Case Ref: CS11492)

Hi all,

Just to say that the Herald have followed up on this and have forwarded the attached guidance from the SMTO. She has also said "I am told that SMTO were sent a statute that actually made massage in certain circumstances permissible in phase 1 of the route map."

Is this the case? What is our current position on Sports Massage? Keen to get something up to ministers soon, so can I have some background/lines by 2 please?

[Redacted]

**From:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Sent:** 08 July 2020 12:23

**To:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Cc:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>;

[Redacted][@gov.scot](mailto:[Redacted]@gov.scot)>

**Subject:** RE: (Case Ref: CS11492)

Copying in my colleague [Redacted] who will be taking forward our response to *The Herald* query.

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 11:15  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Great, thanks [Redacted]. As I discussed with [Redacted], I think it would be best if we don't publish this on the website, and it just goes out to the relevant people/organisations. We will still need to let The Herald know as they have asked for our updated position.

Grateful if you can give me an update after your meeting.

Thanks,

[Redacted]

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 11:11  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

[Redacted],

In process and drafting very much depends on target audience. Will update following team discussion.

Thanks.

[Redacted].

[Redacted] | Team Leader: Regulatory Unit | Chief Nursing Officer's Directorate | Scottish Government | St Andrew's House, Regent Road, Edinburgh, EH1 3DG  
[Redacted] [Redacted]@gov.scot

**From:** [Redacted]@gov.scot>  
**Sent:** 08 July 2020 10:18  
**To:** [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Hi [Redacted],

That's great, thanks for letting me know. Do you have a draft of the letter I can see at the moment? It would be helpful to see to allow me to think about this best way for us to communicate this.

[Redacted]

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 19:39  
**To:** [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: (Case Ref: CS11492)

Hi [Redacted]

Just to update, it looks like nothing will be published by SG today. If we publish something on SG website tomorrow does comms have usual channels that they can use to send it out/raise awareness tomorrow?

Thanks, [Redacted]

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 17:25  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

May need some bullet points for Hot Issues tomorrow am as well.

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:44  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Yes. As you'll see comms have bought us time until tomorrow to respond. I assume that the line will simply be – don't open, without specific reference to any of these qualifications, but not sure [Redacted] if there's anything you'd want to say on them?

Also, [Redacted] in comms advised strongly that our proposed way of CMO/Chief Nursing Officer/CMD letter is the way to go, rather than announcement at FM briefing.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG | 📞 [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:42  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: (Case Ref: CS11492)

FYI,

[Redacted], are you continuing to liaise with [Redacted] on this?

Just making sure I don't need to.

[Redacted]

[Redacted] | AHP Policy Officer |  
Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted] |  
✉️ [Redacted]@gov.scot



**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:39  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: (Case Ref: CS11492)

Sorry both - another email from the journalist below.

**From:** [Redacted]@heraldandtimes.co.uk>  
**Sent:** 07 July 2020 16:35  
**To:** [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

[Redacted]

This is what the SMTO said – if you can verify this is correct, I'd be extremely grateful.

I know the SMTO has been working closely with the government on this.

[Redacted].

**Those who can legally return to work on Monday includes those with the following qualifications:**  
- Level 4 / SCQF level 8 - **Remedial & Sports Massage** therapists holding a diploma qualification that took them 8-9 month to attain, most typically delivered by Scottish Massage Schools, Western

School and AMTS

- Level 4 / SCQF level 8 - **Sports Event Massage / Therapy** therapists holding a diploma qualification that took them 6 months to attain, delivered by Scottish Massage Schools
- Level 4 / SCQF level 8 - **Sports Therapy** (including HNC in Soft Tissue Therapy, HND in Sports Therapy) delivered by Glasgow, Edinburgh, Inverness and Perth Colleges
- Level 5 - **Advanced Remedial Massage** therapists holding a diploma qualification that took them 11-12 months to attain, most typically delivered by Scottish Massage Schools and AMTS
- SCQF Level 9 - **BSc in Sports Therapy** - delivered by Perth College UHI
- SCQF Level 10 - **BSc (Hons) in Sports Therapy and Rehabilitation** - delivered by Perth College UHI
- **Manipulative Therapy** therapists

It must be stressed that a 'qualification' from the above list means that the individual has completed case studies, homeworks & assignments, theory and practical exams for that particular qualification. Regardless of CPD, at this time, **only therapists with a qualification from the above list may return to work from Monday 6th July 2020.**

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:28  
**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** FW: (Case Ref: CS11492)

FYI

**From:** [Redacted]@heraldandtimes.co.uk>  
**Sent:** 07 July 2020 16:25  
**To:** [Redacted]@gov.scot>  
**Subject:** RE: (Case Ref: CS11492)

Hello [Redacted]

Not a problem – tomorrow fine.

Basically, the SMTO is saying that sports therapists should have at least level 4 or 5 qualification to be able to practise safely.

Since they are the only government body in Scotland, I'd assume the government would support this.

[Redacted]

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:20  
**To:** [Redacted]@heraldandtimes.co.uk>  
**Subject:** RE: (Case Ref: CS11492)

Thanks [Redacted]. I am struggling to get a hold of the officials who deal with this policy area at the moment – I will get back to you with a line but it might not be tonight.

[Redacted]

**From:** [Redacted]@heraldandtimes.co.uk>  
**Sent:** 07 July 2020 14:34  
**To:** [Redacted]@gov.scot>  
**Subject:** FW: (Case Ref: CS11492)

Thanks [Redacted]– happy to take an official line from government now?

See below.

**From:** [Redacted]@gmail.com>  
**Sent:** 07 July 2020 13:15  
**To:** [Redacted]@heraldandtimes.co.uk>  
**Subject:** Fwd: (Case Ref: CS11492)

You need to scroll down the whole thread but this is the 3rd email from my MP saying what criteria we fall into.

[Redacted]

----- Forwarded message -----

**From:** Chris Stephens <Chris.stephens.mp@parliament.uk>  
**Date:** Sun, Jun 28, 2020 at 12:25 PM  
**Subject:** Re: (Case Ref: CS11492)  
**To:** <[Redacted]@gmail.com>

Hi [Redacted],

Thank you for providing an update about the advice Lorna Forrester from Scottish Massage Therapists Organisation provided you after speaking with Christine Jardine MP. I would be happy to contact Lorna and discuss the advice that I have received from the Scottish Government if you feel it may be helpful.

I understand that the advice from Lorna has now led to confusion. The advice that Christine Jardine gave to Lorna is the standard position for general massage services, however the Scottish Government guidance is that professional sports massage, particularly for pain, can be considered a professional vocational medical service, so it would currently be permissible under the guidance. There is no specific guidance which will name massage services, except when referring to general massage services, however it does name professional vocational medical services, and that is permitted, and sports massage is classed as such. Unfortunately the guidance cannot name every occupation or service, but instead asks for businesses to make judgments on the guidance and whether their service can be deemed necessary and important to the wellbeing and health of their clients.

I appreciate this might cause you further confusion, and even stress, and I would be happy to arrange an appointment for my telephone surgery on Friday to discuss this, however ultimately it will be your judgment based on the guidance. I just wanted to advise you that the Scottish Government has indicated that sports massage therapists can operate as a professional vocational medical service, providing it is done in a safe and cautious way.

Hope you have a pleasant weekend.

Best wishes,  
Chris Stephens MP

---

From: [Redacted]  
Sent: 26 June 2020 19:56  
To: STEPHENS, Christopher  
Subject: Re: (Case Ref: CS11492)

Hello Chris

So anyway, I spoke with Lorna Forrester who is head of the SMTO in her email address is [Info@scotmass.co.uk](mailto:Info@scotmass.co.uk). She has in fact spoken to her own MP (who is a lib dem) in Edinburgh, and the case is this. We as massage therapists cannot return to work until we are specifically named as being able to do in phase 3. Massage therapy is not state registered, and all the other professions that you listed are.

I don't know who you spoke to in Scot Gov, but if you could please state this to them I would very much appreciate it.

I cannot return to work until Scot Gov specifically names Sports Massage therapy in the same category as hairdressers. I don't believe hairdressers are state registered, but it's ok with PPE to be up close and personal getting your hair done, and getting your fringe trimmed, but it's not ok to be with me in a clinical setting.

I really would appreciate some positive momentum on this. I am emailing you on a Friday, Please ignore this til Monday.

My telephone number is [Redacted] if you wanted to speak to me in person.

I thank you for your response.

On Fri, Jun 26, 2020 at 2:42 PM Chris Stephens > wrote:

Dear Ms [Redacted],

I totally understand your frustration, and am entirely empathetic with it and sincerely wish I could offer you complete clarity but at this time I can't.

As I said in my previous response I wanted to seek immediately some clarity for you to try give you a firm position on your options for reopening.

I have now received the following response which I hope brings you some clarity and eases your understandable stress levels. In the response it states It seems that if you are offering treatments such as sports massage you can operate under current guidelines, providing you are following other public health guidance and advice and full risk assessment has taken place.

The response stated:

"I looked up the website and rather than being a massage parlour it would appear they offer primarily sports massage.

The guidance (Businesses and premises which must close section) does state that "Medical services (such as dental surgeries, opticians and audiology clinics, physiotherapy clinics, chiropody and podiatry clinics, and other professional vocational medical services)" are exceptions from closure. It also provides further information for employers and makes clear that those providing essential services must follow physical distancing requirements.

I asked and have been informed that professional sports massage, particularly for pain, can be considered a professional vocational medical service, so it would currently be permissible under the guidance.

Massage parlours in the general sense (when not providing medical need), are specifically mentioned as businesses that are required to close. I will try to seek an update about when they will be likely to open and come back to you.

The following will give you further guidance for Business:

<https://www.gov.scot/publications/coronavirus-covid-19-phase-2-business-and-physical-distancing-guidance/pages/businesses-and-premises-which-must-close/https://www.gov.scot/publications/coronavirus-covid-19-phase-2-business-and-physical-distancing-guidance/pages/businesses-and-premises-which-must-close/>

They may also find this guide to working safely during the coronavirus crisis useful:

<https://www.hse.gov.uk/coronavirus/working-safely/index.htmhttps://www.hse.gov.uk/coronavirus/working-safely/index.html>".

So this response makes clear it will be OK for you to return in a safe way to provide sports massage, however wider massage services are not yet permitted.

I hope you find this response helpful and gives you peace of mind to at least return in a limited way.

If there is anything else I can do to help please do not hesitate to get back in touch.

Best wishes,  
Chris Stephens MP

---

#### Email chain 4:

**From:** [Redacted]@gov.scot> **On Behalf Of** Cabinet Secretary for Health and Sport  
**Sent:** 13 July 2020 15:16

**To:** [Redacted]@gov.scot>; Cabinet Secretary for Health and Sport

<CabSecHS@gov.scot>; First Minister <firstminister@gov.scot>

**Cc:** DG Health & Social Care <DGHSC@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA  
(Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>;  
McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; CNOD - Covid 19 <CNOD.Covid-  
19@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health)  
<John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>;  
[Redacted]@gov.scot>

**Subject:** RE: Advice on the re-opening of Close Contact Therapy Services

Hi [Redacted]

Thanks – the Cabinet Secretary has noted.

[Redacted]

[Redacted]

Deputy Private Secretary  
Health & Sport Ministerial Private Office  
St. Andrew's House, Edinburgh

E: [Redacted]@gov.scot

T: [Redacted]

M: [Redacted]

From: [Redacted]@gov.scot>

Sent: 08 July 2020 17:34

To: Cabinet Secretary for Health and Sport <CabSecHS@gov.scot>; First Minister <firstminister@gov.scot>

Cc: DG Health & Social Care <DGHSC@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Pollock LA (Linda) <Linda.Pollock@gov.scot>; Harden J (John) <John.Harden@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; CNOD - Covid 19 <CNOD.Covid-19@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Bain MB (Marion) <Marion.Bain@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; Connaghan J (John) (Health) <John.Connaghan2@gov.scot>; Mitchell E (Elinor) <Elinor.Mitchell@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; McDonald C (Carolyn) <Carolyn.Mcdonald@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>

**Subject:** Advice on the re-opening of Close Contact Therapy Services

*Advice on the re-opening of Close Contact Therapy Services*

*Please find attached a for information submission on the publication of a clarification letter by the National Clinical Director of the Scottish Government's position on the re-opening of close contact therapy services, such as massage and note that comms are developing urgent lines.*

*Kind regards,*

[Redacted]

[Redacted] | AHP Policy Officer |

Chief Nursing Officer's Directorate | Scottish Government | 2ER St Andrew's House |  
Regent Road | Edinburgh | EH1 3DG | 📞 [Redacted] |

✉️ [Redacted]@gov.scot



**Attached briefing:**

---

**To First Minister  
Cabinet Secretary**

**Cc  
Director General for Health & Social Care  
And Chief Executive for NHS Scotland  
National Clinical Director  
Chief Medical Officer  
Chief Nursing Officer  
Deputy Chief Medical Officer  
Deputy Chief Nursing Officer  
Chief Allied Health Professions Officer**

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
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[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

**8 July 2020**

## **INFORMATION NOTE CONFIRMING SCOTTISH GOVERNMENT POSITION ON THE RE-OPENING OF CLOSE CONTACT SERVICES**

1. Scottish Government is receiving an increasing number of queries about re-opening from practitioners of close contact services, especially those involving massage therapy.
2. On Saturday 4 July, the Herald Scotland published an article advising that certain Massage Therapists could re-open quoting advice from the Scottish Government's Business and Social Distancing Team : "Professional Sports Massage, particularly for pain, can be considered a professional vocational medical service, so it would currently be permissible under the guidance...that you can re-open your business."

The Herald did not approach Scottish Government Comms about this article or quote.

3. On Monday 6 July Scottish Government became aware of the Herald Scotland article and, following enquiries, officials identified a possible source for the quote attributed to SG. It appears that this advice may have been offered to party

MPs through Scottish Parliament contacts (see background note below for further details).

The article was prompted by a communique from the Scottish Massage Therapy Organisation (SMTO), who had on Friday 3 July 2020 advised their members that they had successfully lobbied the Scottish Government and further confirmed on Social Media that their members could re-open from Monday 6th July to provide treatment for the relief of pain. A list of applicable vocational qualifications was provided.

4. The Chief Medical Officer (CMO), Deputy Chief Nursing Officer (DCNO) and National Clinical Director (NCD) have agreed that a letter should be published today in the name of National Clinical Director clarifying the Scottish Government's position to avoid the risk of conflating these unregulated close-contact services with medical or nursing services subject to statutory professional regulation.

5. Officials continue to work across directorates to identify a safe date for the re-opening of Massage Therapists and other unregistered close contact services.

Contact Name: [Redacted]  
Ext: [Redacted]

#### Additional Background Information

While we continue to seek the clinical evidence to support the reopening of Close Contact Services we propose to use the following lines if this issue is raised with you:

- A letter from the National Clinical Director was published on the 8 July 2020 clarifying the Scottish Government's advice on the reopening of close contact practices.
- All individual business must take careful account of the Regulations and guidance in determining whether it is safe and lawful for them to reopen.
- Businesses should only reopen once they have completed a risk assessment, and taken all appropriate steps to make themselves COVID-19 secure in line with the current guidance.
- All business considering reopening at any time during the route out of lockdown should check whether their commercial insurers will accept liability under the current Scottish Government guidance.
- The four countries are moving out of lockdown at a pace determined by their individual circumstances, so comparisons are not necessarily useful or helpful.
- We are working at pace to assess the potential clinical risk presented by unregulated close-contact services and will provide greater certainty on this as soon as possible.

Background/Issue:

- Massage therapy representative bodies and individuals have been pressing both UK Government (UKG) and SG to be allowed to reopen along with the regulated close contact professions, e.g. high street physiotherapists.
- The legislation uses the loose terminology “other health services”, which leaves it open to practitioners in professions which are not subject to statutory regulation to define themselves as providing such a service. However, unregulated practitioners are not legally subject to professional standards and codes of conduct under which they could be held professionally to account for breaching government guidelines.
- Original UKG guidance used the confusing and contradictory term “professional vocational medical services”. This has now been removed from the current version of the guidance.
- Massage Therapist professional bodies are advising practise can resume from Tuesday 7 July, claiming this is based on Scottish Government official advice. It appears the advice may have been offered to party MPs through Scottish Parliament contacts. SG officials have not provided any specific advice to this group of practitioners or their professional body. Professional groups have deemed they are eligible to open from today, claiming SG advice. Officials have not identified any such advice.
- Detailed lists of valid qualifications have been circulated on social media. SG has not, and would not, issue such advice.
- Information from the Business and Physical Distancing team:
- Operating within the Civil Service Code on political impartiality, the Business & Physical Distancing team shared upon request publicly available information and positions via an SNP staff member to MPs and MSPs, This connection was facilitated by Special Advisors to ensure that information relevant to businesses during the health emergency would be correctly shared as enquiries to Parliamentarians escalated in number. The same information and positions were shared with any Parliamentarians or their offices regardless of party upon request.  
It appears possible that, away from the involvement of SG officials, this has led to interpretation of positions not fully aligned to official policy intent.

## Attached Letter

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Healthcare, Quality and  
Improvement Directorate  
Professor Jason Leitch CBE, National Clinical  
Director



Scottish Government  
Riaghaltas na h-Alba  
gov.scot

July 2020

Dear therapist,

## **MESSAGE AND COMPLEMENTARY THERAPY SERVICES: SCOTLAND'S ROUTE MAP OUT OF THE COVID-19 PANDEMIC RESTRICTIONS**

1. Further to the Scottish Government's letter of 1 June, setting out the conditions for restarting independent health and dental care services; we have been receiving an increasing number of queries relating to the reopening of private services such as massage therapy, which involve close contact for extended periods. This letter is to clarify the Scottish Government's position on when such services may open again.

2. We remain grateful for the cooperation of the people of Scotland in supporting our national response to the coronavirus pandemic, and very conscious of the considerable personal and professional sacrifices arising from the restrictions currently in place on individuals and businesses. However, while there can be no doubt that everyone wants to return to some form of normality as soon as possible, we must continue to prioritise public health at every stage of the carefully measured relaxation of restrictions. We have been clear and consistent in our advice that moving too fast at any point increases the danger of increased infection and the very real possibility of a return to lockdown, with the further detrimental impact that would have on individuals, families and the economy. It is therefore crucial that everyone continues to follow as closely as possible the spirit of the guidance set out in the [route map](#) out of lockdown in order to support the key public health messages at each stage.

3. We recognise that many people gain relief from their symptoms through massage therapies and complementary and alternative therapies, which are also an important part of the economy. However, the wide range of private therapies makes it impossible to say that all of them can re-open in a particular phase and the clinical evidence for each must be assessed individually. What we can say with certainty is that, during the early phases, the focus should remain firmly on the provision of essential and urgent care, and NHS Scotland is open for anyone requiring such treatment. By adopting the phased approach to restarting independent services and not encouraging significant numbers of people to travel for therapies that are not essential or urgent, we are controlling the risk of raising the R value.

4. In coming to a decision on those private therapies which involve close personal contact for extended periods, we must first assess properly the available clinical evidence. That process is currently underway and we will amend Scottish Government advice at the earliest opportunity, based on the outcome of that assessment. In the meantime, our official position is that therapy businesses not subject to statutory professional regulation should remain closed for the time being. All businesses may wish to consider checking with their insurers in preparation for reopening that they have in place public liability indemnity cover appropriate to the risks presented by their services. I should emphasise that health is devolved to the Scottish Parliament, and that UK Government guidance does not apply in Scotland. All businesses must therefore satisfy themselves that they are able to operate lawfully in compliance with The Health Protection (Coronavirus) (Restrictions) (Scotland) Regulations 2020 (as amended).

<http://www.legislation.gov.uk/ssi/2020/103/contents>

Yours sincerely



**PROFESSOR JASON LEITCH**

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**Email chain 5:**

**From:** Website (gov.scot) <WEBSITE@gov.scot>

**Sent:** 07 July 2020 17:13

**To:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; Website (gov.scot) <WEBSITE@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]gov.scot>; [Redacted]@gov.scot>

**Subject:** RE: Urgent Letter

Ok thanks

[Redacted]

[Redacted]

[Redacted]@gov.scot

**From:** [Redacted]@gov.scot>

**Sent:** 07 July 2020 17:05

**To:** [Redacted]@gov.scot>; Website (gov.scot) <WEBSITE@gov.scot>

**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]gov.scot>

**Subject:** RE: Urgent Letter

Thanks [Redacted].

[Redacted], have added in a word in yellow because Chief Nursing Officer is on leave this week so will be from DCNO.

[Redacted] | Chief Nursing Officer's Directorate | The Scottish Government | 2ER | St Andrew's House | Regent Road | Edinburgh EH1 3DG |  [Redacted] [Redacted]@gov.scot

Please note that I work part time, Monday, Tuesday, Thursday and Friday afternoons only

**From:** [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:57  
**To:** Website (gov.scot) <WEBSITE@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Urgent Letter

Hello [Redacted],

Perfect, thanks

All the best,

[Redacted], Implementation Team – Policy Officer

Scottish Government | Health and Care (Staffing) (Scotland) Act - Implementation Team |  
Chief Nursing Officer Directorate | 2ER | St Andrew's House | Regent Road | Edinburgh |  
EH1 3DG

Tel: [Redacted] | [Redacted]@gov.scot

*Currently working from home*

**From:** Website (gov.scot) <WEBSITE@gov.scot>  
**Sent:** 07 July 2020 16:55  
**To:** [Redacted]@gov.scot>; Website (gov.scot) <WEBSITE@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** RE: Urgent Letter

In order for consistency could this work better?

Coronavirus (COVID-19): opening of close contact services  
Joint letter from the Deputy CNO, CMO and National Clinical Director clarifying the  
opening of close contact services

[Redacted]  
[Redacted]  
[Redacted]@gov.scot

**From:** [Redacted] [Redacted]@gov.scot>  
**Sent:** 07 July 2020 16:48  
**To:** Website (gov.scot) <WEBSITE@gov.scot>  
**Cc:** [Redacted]@gov.scot>; [Redacted]@gov.scot>; [Redacted]@gov.scot>  
**Subject:** Urgent Letter  
**Importance:** High

Hello,

Further to my contact with [Redacted], here is the provisional title and summary of the urgent letter we are looking to get on the website asap. The title could potentially change as it is very much a work in progress.

“Joint letter from CNO/CMO/National Clinical Director clarifying opening of close contact services”

Many thanks,

[Redacted], Implementation Team – Policy Officer

Scottish Government | Health and Care (Staffing) (Scotland) Act - Implementation Team | Chief Nursing Officer Directorate | 2ER | St Andrew’s House | Regent Road | Edinburgh | EH1 3DG

Tel: [Redacted] | [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)

*Currently working from home*

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#### Email chain 6:

**From:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot) **On Behalf Of** Website (gov.scot)  
**Sent:** 08 July 2020 17:57  
**To:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot); Website (gov.scot) <[WEBSITE@gov.scot](mailto:WEBSITE@gov.scot)>  
**Cc:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot); [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)  
**Subject:** RE: NCD Letter to therapists 08-07-2020

Hi [Redacted],

Letter published here: <https://www.gov.scot/publications/coronavirus-covid-19-opening-of-close-contact-services/>

Cheers,

[Redacted]

[Redacted]

Digital Strategist  
The Scottish Government  
[@\[Redacted\]](mailto:[Redacted]@gov.scot)  
[Redacted]

**From:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)  
**Sent:** 08 July 2020 17:41  
**To:** Website (gov.scot) <[WEBSITE@gov.scot](mailto:WEBSITE@gov.scot)>  
**Cc:** [Redacted][@gov.scot](mailto:[Redacted]@gov.scot); [Redacted][@gov.scot](mailto:[Redacted]@gov.scot)  
**Subject:** NCD Letter to therapists 08-07-2020  
**Importance:** High

Hello,

I was talking to [Redacted] and [Redacted] about getting this urgent letter up on the website yesterday. It has taken longer than I expected to come through; however, please can you now arrange for this letter to go up on the website and send me the URL as soon as possible.

There has been a change to the name of the letter as it is now just from the National Clinical Director.

Many thanks for your help.

All the best,

[Redacted], Implementation Team – Policy Officer

Scottish Government | Health and Care (Staffing) (Scotland) Act - Implementation Team | Chief Nursing Officer Directorate | 2ER | St Andrew's House | Regent Road | Edinburgh | EH1 3DG

Tel: [Redacted] | [Redacted]@gov.scot

*Currently working from home*