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James Dornan MSP  
Convenor  
Education and Skills Committee

By email: [es.committee@parliament.scot](mailto:es.committee@parliament.scot)

15 March 2018

Dear James,

Thank you for your letter of 21 February 2018.

In considering your letter, I have reflected on one of the founding principles of the Scottish Parliament; that civic Scotland should have a close, direct engagement in the policy making and legislative processes. This has always been an approach that has been viewed as crucial by all Members since the Parliament was founded.

I and Scottish Government officials have engaged with a wide range of stakeholders both before and during the initial stages of the Information Sharing Bill. I informed members of this during my evidence session before the Committee on 8 November 2017 and again in my response to the Committee letter of 30 November 2017.

I am perplexed by the assertion within your letter that “any assurances offered to witnesses by the Government on ways in which policies will be changed or supplemented should be raised with the relevant committee first”. I do not believe this assertion has any foundation in the standing orders, guidance or even in the conventions of the Scottish Parliament. Quite the reverse is true. Discussing policy positions with a range of expert groups – whether or not the committee has chosen to call them to give evidence – is best practice and in keeping with the founding principles of the Parliament.

The responsibilities of the Scottish Government in informing Parliament appropriately of matters of importance, including policy announcements, are set out in the ‘Good Practice Guidance by the Presiding Officer on Announcements by the Scottish Government’. It repeatedly references discussions with stakeholders and specifically states “it is acknowledged that the Scottish Government... may need to alert interested third parties to the content of forthcoming announcements”. The guidance clearly recognises, therefore, that the Scottish Government will engage with organisations regarding announcements, including on issues of policy or legislation, ahead of advising Parliament formally.

I am not aware of any other relevant Standing Order, guidance document or convention of the Parliament that contradicts the position set out by the Presiding Officer and followed by successive administrations. Further, I am clear that it is entirely right and proper for the Scottish Government to discuss policy options with stakeholders throughout the passage of

the Information Sharing Bill. Such engagement is the foundation of civic Scotland having a close, direct engagement in the policy making and legislative processes. It is essential that such individuals are given the opportunity to shape legislation and policy which affects them and crucially, the children and families whom they support.

There have been two strands to the Government's engagement with stakeholders and others during the preparation for, and consideration of, this Bill. In the first strand, my officials explicitly informed the Committee, via the Clerk, of our intention to approach stakeholders in relation to the Bill in an email on 11 September where we also sought details of who would be called in evidence. The relevant email exchange is shown at Annex A. The committee itself, via the Clerk, provided this information to the extent that it was known at the time.

A second strand of engagement with stakeholders and other political parties – distinct from that noted above – relates to my letter of 6 November. This was focussed on a range of issues and led directly to the changes I set out to the Government's position in my letter of 6 November. On 2 November my officials also informed the Committee Clerk of this engagement with stakeholders. The relevant email exchange is shown in Annex B.

At no stage was any suggestion made that this dialogue was in any way inappropriate.

Both strands of engagement are provided for under "Protocol between the Scottish Parliament and the Scottish Government in relation to the handling of Committee business" (see paragraphs 45 and 46, 'General Liaison').

I will now respond to the detailed questions in your letter to demonstrate that this Government listens to stakeholders and their priorities. The information provided below is the full extent of the record and recollection which I and my officials have.

*1. The dates that all organisations / individuals that provided evidence to the Committee were approached by Scottish Government officials, ministers or special advisers.*

Annex C details all meetings held between organisations/individuals that provided evidence to the Committee and Scottish Government officials, ministers or special advisers.

*2. Details of how Scottish Government officials, ministers or special advisers came to know what dates organisations / individuals were appearing before the Committee and the rationale behind contacting them.*

In some cases, Scottish Government officials were aware of organisations/individuals appearing before Committee from Committee papers that were published on the Parliament website. In addition, officials were made aware of stakeholders appearing before Committee through verbal and written engagement with Committee clerks, in accordance with the 'Protocol between the Scottish Parliament and the Scottish Government in relation to the handling of Committee business' (see paragraphs 45 and 46, 'General Liaison'). Annex A provides an example of information about stakeholders appearing before Committee, to the extent that it was known at the time, provided by Committee clerks to Scottish Government officials.

Further, in some cases officials were aware because relevant stakeholders informed officials, as part of normal communication in established relationships.



Please refer to Annex C for details of when officials became aware of stakeholders appearing before Committee and the source of that information.

*3. The dates of any: a) meeting; b) phone call in place of a meeting; or c) email exchange in place of a meeting for each organisation / individual that gave evidence (or that officials are aware were invited to give evidence but for any reason could not attend) with Scottish Government officials, ministers or special advisers.*

Please refer to Annex C for details in relation to stakeholders that gave evidence.

In addition, the National Parent Forum for Scotland were also contacted by officials, and they confirmed that they had been approached but had declined to give evidence.

*4. The dates and details of any meetings / emails / phone calls to those who provided written evidence to the Committee but did not provide oral evidence.*

Annex D provides details of meetings held with stakeholders who provided written evidence to the Committee but did not provide oral evidence.

*5. Details of any organisations / individuals over the course of September and October 2017 who sought to meet with the Government on the Bill / associated code where the offer was declined.*

No meetings with organisations or individuals over the course of September and October 2017 were declined to my knowledge.

*6. Details of any focus during discussions at meetings with witnesses about the Committee meeting they would be attending (e.g. officials detailing who the other witnesses attending were for witnesses or any questions from officials on what matters witnesses planned to highlight to the Committee).*

As is normal engagement, the purpose of discussions between officials and stakeholders due to appear before Committee was to fully explain Scottish Government policy, to listen to stakeholders' positions and to offer an opportunity for those stakeholders to ask questions of officials.

In some cases, officials and stakeholders were aware of other stakeholders due to appear before Committee. Where officials discussed details of other stakeholders due to appear at Committee, these details had already been published on the Parliament website or had been brought to the attention of officials by Committee Clerks.

*7. Details of the presentation given on the Bill and any discussions which took place between Scottish Government officials and potential Committee witnesses at the National Child Protection Leadership Group on 21 September 2017.*

Minutes and a list of attendees for the meeting of the *National Child Protection Leadership Group on 21 September 2017* are published here:

<https://beta.gov.scot/publications/national-child-protection-leadership-group-september-2017/>

In addition to the presentation given by officials, a hand-out was also provided which is published on the Scottish Government website here:



*8. Details of any proposed changes to the published Bill and associated documents that were discussed by Scottish Government officials, ministers or special advisers with individuals / organisations, and the relevant dates.*

I, my officials and special advisers have and continue to have regular discussions with a range of stakeholders in relation to policy options for the Bill, specifically including those discussions outlined in the Annexes.

As you are aware, I also had a meeting with you and the Deputy Convenor, Johann Lamont MSP, on 3 October in which we discussed the concerns raised about the Bill by witnesses and the possibility that I might make an amendment to the Bill at Stage 2, which would give Parliament final approval of the Code of Practice.

I also discussed these matters with Ross Greer MSP and Alison Johnstone MSP of the Scottish Green Party on 28 September 2017. This meeting specifically addressed the need for the Scottish Government to discuss our policy position with key stakeholders – particularly the Royal College of Nursing who had also written to me – before the Committee concluded its consideration, with a view to potentially amending the Government's position. The process initiated in that discussion led to my letter of 6 November and the changes to Scottish Government policy contained within it; principally, the commitments to the Committee to prepare an amendment to the Bill at Stage 2 to give Parliament final approval of the Code of Practice and to provide further financial resources, over and above what has been outlined in the Financial Memorandum for the Bill.

That letter was the first occasion any amendments to the Government's position has been made public. The changes were made public in accordance with the guidance from the Presiding Officer.

*9. The dates and details of any discussions that took place regarding the Scottish Government's proposed public information campaign ahead of 6 November 2017.*

Effective communication and engagement with the public about the Bill and the Named Person service has been a priority to many stakeholders who have made a number of representations to me and my officials. In response to this, and representations made to me by Ross Greer MSP, I decided to announce, in my letter to you of 6 November 2018, an awareness-raising campaign that would reassert the values of Getting It Right For Every Child.

*10. Details of any awareness from government officials, special advisers, or ministers, of the contents of the joint submission from stakeholders to the Committee in advance of its issue to the Committee on 6 November 2017, and the relevant dates.*

The Scottish Government were aware that some stakeholders were planning to send a joint letter to the Committee but did not know the precise contents or had any involvement in the preparation of the letter issued to the Committee signed by the Coalition of Charities on 6 November.

*11. Details of any organisations / individuals with whom the contents or proposed*



*contents of your letter to the Committee of 6 November were shared or discussed, and the relevant dates.*

As I have stated above, it is entirely right and proper for the Scottish Government to discuss policy options with stakeholders and interested third parties. I asked that my officials and special advisers discuss the nature of my proposals (as subsequently set out to the Committee in my letter of 6 November) with a number of stakeholders, including Children in Scotland, Children 1<sup>st</sup>, Aberlour, Social Work Scotland and Barnardo's. All of this dialogue took place after witnesses gave evidence to Committee but before I finally decided to alter the Government's position.

On 2 November, my officials also informed the Committee Clerk of the on-going engagement with stakeholders in relation to the formulation of my letter of 6 November to the Committee. The relevant email exchange is shown in Annex B.

I also shared the letter I issued on 6 November in advanced draft form with Ross Greer MSP ahead of being sent to the Committee, as a follow up to our previous discussion.

*12. Details of what instruction or briefing was given by you or special advisers to Government officials about meetings with witnesses, and the relevant dates. If this did not occur, confirmation that officials chose to have these meetings / email exchanges / telephone conversations unilaterally.*

Officials do not operate under instruction from special advisers, but from Ministers. I requested that officials engage with stakeholders on their priorities, and was fully aware of the engagement in relation to the Bill. As I have made clear in my responses above, I believe that on-going communication with stakeholders underpins effective Government.

*13. If Scottish Government officials acted unilaterally, the date and detail of how you became aware they were meeting witnesses ahead of their appearance before the Committee.*

Officials acted upon my instruction.

*14. What steps you undertook following your appearance at the Committee on 8 November 2017 to check the dates of meetings and to confirm the Scottish Government's private thinking had not been shared by Scottish Government officials or special advisers with witnesses ahead of their oral evidence.*

I believe that it is entirely right and proper for the Scottish Government to discuss policy options with stakeholders throughout the passage of the Information Sharing Bill. I was and remain fully aware of the engagement undertaken by my officials in relation to the Bill. The drafting of the letter I shared with Committee on 6 November did not commence until the week of 30<sup>th</sup> October 2017.

*15. The dates and details of any further meetings / emails / phone calls by Scottish Government officials, ministers or special advisers with individuals/organisations after they gave evidence to the Committee.*

Please refer to Annex C.

*16. Confirmation that all relevant information relating to existing FOI requests has*

*been disclosed.*

In relation to the FOI request reference FOI/17/02940, published on 22 January, a small number of emails were not released. This was due to the absence of a Scottish Government official and correspondence in their mailbox not being accessed. The email chains detail meetings between Scottish Government officials and the following stakeholders that provided evidence to the Committee:

- Scottish Guidance Association
- EIS
- Scottish Prison Service

This information has now been made available to the requester, will be made publicly available on the Scottish Government website also and is presented in Annex E.

We believe that all the relevant information relating to existing FOI request has now been disclosed. Links to existing FOI requests and responses can be found following these links:

FOI response published 20 November 2017  
<https://beta.gov.scot/publications/foi-17-02462/>

FOI response published 18 December 2017  
<https://beta.gov.scot/publications/foi-17-02787/>

FOI response published 10 January  
[http://www.parliament.scot/S5\\_Education/General%20Documents/20180129134125.pdf](http://www.parliament.scot/S5_Education/General%20Documents/20180129134125.pdf)

FOI response published 22 January 2018  
<https://beta.gov.scot/publications/foi-17-02940/>

FOI response published 12 March 2018  
<https://beta.gov.scot/publications/foi-18-00442/>

A response to FOI/18/00444 regarding Scottish Government communication with the Education and Skills Committee will also be sent to the requester and published today, 15 March.

As I have set out above, effective stakeholder and public engagement is the foundation of good government and I will continue to offer such opportunities for engagement with stakeholders during the Bill's passage in the interests of promoting better outcomes for children and families.

I refute the assertion that there has been a slight on the Committee and I hope that this letter provides the clarification sought by the Committee.



**JOHN SWINNEY**



**Email exchange between Scottish Government official and Committee Clerk on 11 and 13 September 2017**

**From:** [Committee clerks]  
**Sent:** 13 September 2017 13:35  
**To:** [SG officials]  
**Subject:** RE: Order of evidence

Hi [Redacted Text]

In confidence, here is the order of evidence - and very happy with the suggestion of a scheduled phone catch up,

I can't confirm the names of organisations yet as they are yet to confirm with us if they can attend,

thanks

[Redacted Text]

**20th september**

panel 1 - faculty of advocates, law society

panel 2 - health boards and practitioners (we will send you the agenda and papers when they publish tomorrow as we are still finalising witnesses)

- another late subs pack (tbc - possibly the following week)
- spice analysis of survey results on illustrative code of practice

**27th september**

local authorities

**4th october**

panel 1 - teachers

panel 2 - information commissioner

**25th october**

panel on children subject to compulsory orders

panel of listed authorities

**1st November**

2 panels both with a mixture of childrens charities, parent representatives, religious organisations

**8 November**

Cabinet Secretary

- we will also arrange a focus group of health visitors, teachers etc on the illustrative Code of Practice - date to be confirmed
- the convener and clerks will also use the SYP event at the end of October to gauge the views of young people
- a number of members are also undertaking fact-finding visits informally in their own constituencies

**From: [SG officials]**

**Sent:** Monday, September 11, 2017 1:34 PM

**To: [Committee clerks]**

**Subject:** Order of evidence

Hi **[Redacted Text]**

Any chance of an update when we can expect the order for evidence? If there is anyone we need to speak to we would have to get on this asap. Also how did you think the session went last week in general. We have the view that it seemed to have went ok?

Cheers

**[Redacted Text]** Deputy Bill Team Leader

Children & Young People In

formation Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

**T: [Redacted Text] | E: [Redacted Text]**



**Email exchange between Scottish Government official and Committee Clerk on 2 November 2017**

**From:** [Committee clerks]  
**Sent:** 02 November 2017 15:03  
**To:** [SG officials]  
**Subject:** RE: Letter from the cabinet secretary

Thanks [Redacted Text]

Happy to do that and thanks for your response,

I will let the Committee know the delay relates to stakeholder engagement,

[Redacted Text]

**From:** [SG officials]  
**Sent:** Thursday, November 02, 2017 3:00 PM  
**To:** [Committee clerks]  
**Cc:** [Redacted Text]  
**Subject:** RE: Letter from the cabinet secretary

Hi [Redacted Text]

Apologies for the delay in responding. The reason for the delay is we are still engaging with stakeholders which will inform the letter to committee. We will try and get it to the letter to you/committee sooner, if we can. Thank you for your understanding.

Thank you also for the heads up about the focus group write up, grateful if you could send the team a link when it is available.

Thanks  
[Redacted Text]

Stakeholder Engagement & Policy Officer  
Children and Young People (Information Sharing) (Scotland) Bill

**From:** [Committee clerks]  
**Sent:** 02 November 2017 14:05  
**To:** [SG officials]  
**Cc:** [Redacted Text]  
**Subject:** Letter from the cabinet secretary

Hi [Redacted Text]

Just to say that I think the Spice themes / possible questions paper would be held back until tuesday if the government don't provide a submission until late monday as [Redacted Text] suggested. spice plan to add in references to it throughout the themes paper.

I understand there will be entirely understandable reasons for the delay but if you could let me know a reason so I can tell members when i issue the first tranche of papers on friday.

Also, I meant to mention to **[Redacted Text]** when he asked about the focus group that because the committee has a strong emphasis on inclusivity it is likely there will be a part of the evidence session dedicated to questions based on the focus group write up. This is the approach taken on teacher workforce planning. The write ups will be posted online and issued with papers tomorrow afternoon so definitely worth a read.

Thanks

**[Redacted Text]**

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**Table and relevant email chains in relation to Questions 1, 2, 3 and 15**

Excel document attached Separately.

Table providing information in relation to Question 4

Meeting (stakeholder)	Date	Purpose
•		
<b>Named Person Service Providers</b> - This group brings together service providers in local authorities, health boards and the third sector along with partners in the wider public service to discuss implementation of the named person service.	14/11/2017	Scheduled update
Early and Effective Intervention Practitioners Forum	17/11/2017	Invited to give a presentation on Getting it right for every child and Information Sharing at one of the EEI Practitioners Forum regular seminars.
Association of Directors in Education in Scotland	05/12/2017	Phone call with the Chair of ADES Network. This was general introduction and included a brief update on the Information Sharing Bill process and areas over which the network would link to the team.



## Relevant correspondence in relation to Question 16

### 1. Scottish Guidance Association

**From:** [Scottish Guidance Association]  
**Sent:** 02 October 2017 17:19  
**To:** [ SG Official]  
**Subject:** Re: Children and Young People (Information Sharing) (Scotland) Bill

[Redacted Text] Thanks 😊

Sent from my iPhone

**From:** [SG Official]  
**Sent:** Monday, October 2, 2017 5:18:40 PM  
**To:** [Scottish Guidance Association]  
**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Yes, no problem. What number should I call you on?

**From:** [Scottish Guidance Association]  
**Sent:** 02 October 2017 17:18  
**To:** [SG Official]  
**Subject:** Re: Children and Young People (Information Sharing) (Scotland) Bill

I'm at my desk just now. Drowning in paper. Are you available?

Sent from my iPhone

**From:** [SG Official]  
**Sent:** Monday, October 2, 2017 5:16:52 PM  
**To:** [Scottish Guidance Association]  
**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [Redacted Text]

Just let me know when works for you for a chat. I'm out of the office first thing tomorrow but then pretty flexible.

Regards

[Redacted Text]

**From:** [SG Official]  
**Sent:** 29 September 2017 08:52  
**To:** [Scottish Guidance Association]  
**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [Redacted Text]

I'm pretty flexible on Monday and Tuesday so just let me know when works for you.

[Redacted Text]

**From:** [Scottish Guidance Association]

**Sent:** 29 September 2017 07:25

**To:** [ SG Official]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [Redacted Text]

Thanks for getting in touch. It would be really helpful to have a brief chat before next Wednesday.

Kind regards

[Redacted Text]

[Redacted Text]

**SGA President**

[www.scottishguidance.org.uk](http://www.scottishguidance.org.uk)



## 2. Education Institute for Scotland

**From:** [SG Officials]

**Sent:** Thursday, September 28, 2017 2:00 PM

**To:** [EIS]

**Cc:** [SG Officials]

**Subject:** Children and Young People (Information Sharing) (Scotland) Bill

[Redacted Text]

I see that you are giving evidence to the Education and Skills Committee next week about the Children and Young People (Information Sharing) (Scotland) Bill. I have responsibility for the Team in the Scottish Government overseeing the Bill. If it would be of assistance I would be happy to discuss anything to do with the Bill before then.

Regards

[Redacted Text]

[Redacted Text]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

Tel: [Redacted Text]

BB: [Redacted Text]

**From:** [EIS]

**Sent:** 28 September 2017 15:03

**To:** [SG Official]

**Cc:** [SG Official]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Do you mean [Redacted Text]?

**From:** [SG Official]

**Sent:** 28 September 2017 14:08

**To:** [EIS]

**Cc:** [SG Officials]

**Subject:** Children and Young People (Information Sharing) (Scotland) Bill

Hi [Redacted Text]

Wondering if you have an email address for [Redacted Text]? I'm taking forward the Children and Young People (Information Sharing) (Scotland) Bill and just wanted to let her know that I'd be happy to speak to her if that was of assistance before her Committee appearance next Wednesday.

Thanks

[Redacted Text]

[Redacted Text]

Bill Team Leader  
Children and Young People (Information Sharing) (Scotland) Bill  
Area 1D South: Victoria Quay  
Tel: [Redacted Text]  
BB: [Redacted Text]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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**From:** [EIS]  
**Sent:** 06 November 2017 13:37  
**To:** [SG Official]  
**Cc:** [SG Officials]  
**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Excellent – 9.30 at EIS HQ it is.

Glad you got the landline sorted – thought maybe all your lines were down.

Look forward to seeing you tomorrow morning.

Kind Regards

[Redacted Text]

**From:** [SG Official]

**Sent:** 06 November 2017 13:35

**To:** [EIS]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

9.30am works fine for me. I'm happy to come to HQ.

Sorry about the problem with my landline. I think my phone was logged out!

[Redacted Text]

[Redacted Text]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

Tel: [Redacted Text]

BB: [Redacted Text]

**From:** [EIS]

**Sent:** 06 November 2017 13:33

**To:** [SG Official]

**Cc:** [SG Officials]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

**Importance:** High

No problem at all. Would 9.30 tomorrow morning suit? Will this meeting take place at Victoria Quay or would you like to come to EIS HQ?

Many thanks

[Redacted Text]

**From:** [SG Official]

**Sent:** 06 November 2017 13:31

**To:** [EIS]

**Cc:** [SG Officials]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [Redacted Text]

So sorry, I was out of the office a lot last week and lost sight of this. I'm free tomorrow until about 1.30pm. would sometime in the morning work?



Thanks

[Redacted Text]

**From:** [EIS]

**Sent:** 06 November 2017 13:22

**To:** [SG Official]

**Cc:** [SG Officials]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

**Importance:** High

Dear [Redacted Text]

I have left another voicemail message for you on your mobile.

Can you please let me know, by return, if the meeting with [Redacted Text] and [Redacted Text] will take place tomorrow morning? I still have this blocked off in both diaries and need to confirm arrangements with them in advance of tomorrow.

I have also tried to call you on the office number outlined below, however, it is telling me that this number is not recognised.

Many thanks

[Redacted Text]

**From:** [EIS]

**Sent:** 01 November 2017 13:57

**To:** [SG Official]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

**Importance:** High

Dear [Redacted Text]

I wonder if you could confirm if the 7<sup>th</sup> November would be suitable for this meeting to take place?

Many thanks

[Redacted Text]

**From:** [EIS]

**Sent:** 24 October 2017 15:26

**To:** [SG Officials]

**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

**Importance:** High

Dear [Redacted Text]

The only date that looks to be clear for both [Redacted Text] and [Redacted Text] would be Tuesday 7<sup>th</sup> November in the morning.

If you can let me know if this date would be suitable, we can firm up in the diaries.

Many thanks

[Redacted Text]

**From:** [EIS]  
**Sent:** 22 October 2017 19:21  
**To:** [SG Official]  
**Cc:** [ SG Officials]  
**Subject:** RE: Children and Young People (Information Sharing) (Scotland) Bill

Yes that would be fine, [Redacted Text], although it's [Redacted Text] who has been leading in this for us so perhaps we should ensure that she is present (more so than me)?

[Redacted Text] – can you look at dates, please.

[Redacted Text]

**From:** [SG Official]  
**Sent:** 20 October 2017 11:59  
**To:** [EIS]  
**Subject:** Children and Young People (Information Sharing) (Scotland) Bill

[Redacted Text]

Would you have availability to meet up soon to talk about the Bill and GIRFEC? Consideration of the Bill is at a critical stage and it would be good to touch base with you regarding the EIS' position ahead of the DFM's appearance on the 8<sup>th</sup> of November.

Hopefully speak soon.

[Redacted Text]

[Redacted Text]  
Bill Team Leader  
Children and Young People (Information Sharing) (Scotland) Bill  
Area 1D South: Victoria Quay  
Tel: [Redacted Text]  
BB: [Redacted Text]

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

\*\*\*\*\*

The Educational Institute of Scotland  
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### 3. Scottish Government Officials and Scottish Prison Service

From: [SG Officials]

Sent: 24 October 2017 15:28

To: [Scottish Prison Service]

Cc: [SG Officials]

Subject: RE: SPS Meeting

[Redacted Text]

Apologies for taking some time to get back to you. I was sick last week so down to the wire in terms of prep for committee tomorrow.

Please see a response to the specific points you raised below. I hope this will be of assistance to [Redacted Text] in advance of her appearance tomorrow.

Happy to speak if that would be helpful.

[Redacted Text]

[Redacted Text]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

Tel: [Redacted Text]

BB: [Redacted Text]

From: [Scottish Prison Service]

Sent: 04 October 2017 09:01

To: [SG Official]

Cc: [SG Officials]

Subject: SPS Meeting

Hi [Redacted Text]

Thank you for meeting with us today in regards to the Named Person Bill. As discussed our Chief Executive has been requested to provide evidence to the Education and Skills Committee on the 25<sup>th</sup> October 2017. We understand you are content with our SPS Chief Executive providing evidence in light of our role as a government organisation.

It was a really useful meeting today and allowed us to talk through some key areas that impact on the SPS. As raised in the meeting the key areas we are focussing on with the new Named Person Bill are:

1. The practice of sharing information with the named person and point of contacts for the 32 local authorities. We would hope the identification of a named person was simplified by providing one standard email in each local authority. We are keen to work with Scottish Government as the practical aspects of the named person bill is agreed.

I have confirmed with colleagues in the GIRFEC team that as the requirements of the 2014 are place on services it is envisaged that information sharing will take place at service level. As we discussed this would where SPS had information to share this would be shared at service level i.e. to Local authorities of health boards rather than requiring a need to identify individual named persons. This will be an operational issue and we are confident that we can work this through with you and other partners in advance of implementation.

2. The other area that we would seek clarification and update on would be the Criminal Justice Act 2016 (Childs named person to be notified) section 107. <http://www.legislation.gov.uk/asp/2016/1/section/107>  
Helpfully my colleague [Redacted Text] has been investigating this issue as the DFM has been asked to meet [Redacted Text] on this issue. This meeting is now scheduled to take place in November. Your colleague [Redacted Text] provided the note attached detailing the preparations being made by SPS and the DG for the commencement of these provisions. You will see that she does not envisage any problems arising between the interaction of this section and our Bill. We will continue to work closely with relevant policy officials and SPS on this.

3. We feel training and guidance will be required for individuals carrying out the role of named persons prior to implementation of the Bill.

Yes the intention is for training to be provided before implementation. This will then form part of recurring professional development and supervision across the various workforces undertaking NP responsibilities.

4. We had some concerns regarding the 'Illustrated draft code of practice' but understand this is only an illustration and will be consulted on in the future.

Yes the Code is for illustrative purposes only and as required by the Bill there will be a full consultation with relevant stakeholders before any code was laid before parliament

We value the opportunity to engage with the Scottish Government to voice our opinions regarding the quality of services which children and young people are receiving.

[Redacted Text]

Learning, Skills & Family Policy Manager | Strategy and Innovation Directorate  
SPS Headquarters | Calton House | 5 Redheughs Rigg | Edinburgh, EH12 9HW  
Email: [Redacted Text] | [Redacted Text]

*Unlocking Potential, Transforming Lives*

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This email has been received from an external party and has been swept for the presence of computer viruses.

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**From:** [Scottish Prison Service]

**Sent:** 29 September 2017 11:10

**To:** [SG Official]

**Cc:** [SG Officials]

**Subject:** RE: Children and Young People Information Sharing Bill

[Redacted Text] is also booking you a car park space.

Regards

[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services

Directorate of Strategy and Innovation

[Redacted Text] | email: [Redacted Text]

Scottish Prison Service | Headquarters | Calton House | 5 Redheughs Rigg | Edinburgh | EH12 9HW

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**From:** [SG Official]  
**Sent:** 29 September 2017 09:52  
**To:** [Scottish Prison Service]  
**Subject:** RE: Children and Young People Information Sharing Bill

Yes perfect.

**From:** [Scottish Prison Service]  
**Sent:** 29 September 2017 09:42  
**To:** [SG Officials]  
**Subject:** RE: Children and Young People Information Sharing Bill

Hi [Redacted Text]

Is 9.30 ok?

Many thanks  
[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services  
Directorate of Strategy and Innovation  
[Redacted Text] | email: [Redacted Text]  
Scottish Prison Service | Headquarters | Calton House | 5 Redheughs Rigg | Edinburgh | EH12 9HW

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**From:** [SG Official]  
**Sent:** 29 September 2017 09:40  
**To:** [Scottish Prison Service]  
**Subject:** RE: Children and Young People Information Sharing Bill

Hi [Redacted Text]

Tuesday morning works for me. I can come to you

[Redacted Text]

**From:** [Scottish Prison Service]  
**Sent:** 29 September 2017 09:21  
**To:** [SG Officials]  
**Subject:** RE: Children and Young People Information Sharing Bill

Hi [Redacted Text]

I can do Tuesday morning up until 11am if that is ok for you. Happy to take a telephone call today if you could manage that? The committee has now issued an invite to the SPS to participate in a panel evidence session on the 25<sup>th</sup> of October. My understanding is that we still have to provide a written response by next week also.

Regards  
[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services  
Directorate of Strategy and Innovation  
[Redacted Text] | email: [Redacted Text]  
Scottish Prison Service | Headquarters | Calton House | 5 Redheughs Rigg | Edinburgh | EH12 9HW



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**From:** [SG Official]  
**Sent:** 29 September 2017 08:45  
**To:** [Scottish Prison Service]  
**Subject:** RE: Children and Young People Information Sharing Bill

[Redacted Text]

Really sorry to do this at such short notice but I'm not going to manage this morning. Are you available any time next week?

Thanks

[Redacted Text]

[Redacted Text]  
Bill Team Leader  
Children and Young People (Information Sharing) (Scotland) Bill  
Area 1D South: Victoria Quay  
[Redacted Text]  
[Redacted Text]

**From:** [Scottish Prison Service]  
**Sent:** 21 September 2017 16:11  
**To:** [SG Official]  
**Subject:** RE: Children and Young People Information Sharing Bill

That's good for me, do you wish a car park space reserved?

[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services  
Directorate of Strategy and Innovation  
[Redacted Text] | email: [Redacted Text]  
Scottish Prison Service | Headquarters | Calton House | 5 Redheughs Rigg | Edinburgh | EH12 9HW

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**From:** [SG Official]  
**Sent:** 21 September 2017 16:06  
**To:** [Scottish Prison Service]  
**Cc:** [SG Officials]  
**Subject:** RE: Children and Young People Information Sharing Bill

Yes happy to come to Calton house. Say 10am?

**From:** [Scottish Prison Service]  
**Sent:** 21 September 2017 16:04  
**To:** [SG Official]  
**Cc:** [SG Officials]  
**Subject:** RE: Children and Young People Information Sharing Bill

Hi [Redacted Text]

Many thanks, anytime suits me. Are you available to meet in Calton House in Edinburgh or is there another location that you might suggest is better?

Regards

[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services

Directorate of Strategy and Innovation

[Redacted Text] | email: [Redacted Text]

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**From:** [SG Official]

**Sent:** 21 September 2017 16:02

**To:** [Scottish Prison Service]

**Cc:** [SG Officials]

**Subject:** RE: Children and Young People Information Sharing Bill

I could do Friday morning? I volunteer at a local community centre from 1pm on a Friday so any time before then

Regards

[Redacted Text]

**From:** [Scottish Prison Service]

**Sent:** 21 September 2017 16:00

**To:** [SG Official]

**Cc:** [ SG Officials]

**Subject:** RE: Children and Young People Information Sharing Bill

[Redacted Text]

Thank you for your advice on this matter, I will alert [Redacted Text] and [Redacted Text]

I am free next Friday and it might be helpful to meet if you are available to discuss the Bill more generally?

Regards

[Redacted Text]

[Redacted Text] | Divisional Head of Offender Outcomes and Services

Directorate of Strategy and Innovation

[Redacted Text] | email: [Redacted Text]

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**From:** [SG Officials]

**Sent:** 21 September 2017 15:23

**To:** [Scottish Prison Service]

**Subject:** RE: Children and Young People Information Sharing Bill

[Redacted Text]

I've spoken to colleagues and think the most appropriate thing would be for SPS to get back to the committee themselves. I'm not really involved in the selection of witnesses so I think it would look a bit odd if I called [Redacted Text].

I would have thought something along the lines of as 'an agency of the Scottish Government we don't feel we would have anything further which would be of assistance to the Committee beyond the briefing already given to them by the Bill Team' would be an appropriate response.

Happy to speak to you [Redacted Text] and be good to set up a meeting in any case to talk about the Bill more generally.

Thanks

[Redacted Text]

---

**From:** [Scottish Prison Service]  
**Sent:** 21 September 2017 11:15  
**To:** [SG Official]  
**Subject:** Children and Young People Information Sharing Bill

Hi [Redacted Text]

As discussed – through [Redacted Text] – [Redacted Text] is the Bill Manager and would be very happy to discuss the bill, its impact on SPS and the potential evidence session.

Might be best to drop [Redacted Text] an email to find a suitable time? Or [Redacted Text] is on [Redacted Text]; and Paula is on [Redacted Text]

Thanks,

[Redacted Text]

\*\*\*\*\*

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Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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Committee Session – 20 <sup>th</sup> September 2017	How Scottish Government found out which stakeholders were giving evidence	Date that Scottish Government found out which stakeholders were giving evidence	Date Scottish Government officials contacted stakeholder	Date of Meeting / Phone Call with stakeholder	Related correspondance	Link to any Meeting Notes	Other Standing Scheduled Meetings that Organisation has attended	Further meetings scheduled
NHS Education for Scotland	Committee Papers	15/09/2017	18/09/2017	Phone Call 18/09/2017	<a href="#">FOI/17/02940</a>	None	CEL 29 (23/8/2017)	CEL 29 - 15/3/2018, 3/5/2018, 6/12/2018
Royal College of Nursing Scotland	Committee Papers	15/09/2017	18/09/2017	No response received from stakeholder	<a href="#">FOI/17/02940</a>		Joint Nursing & Midwifery (31/8/17, 23/11/17) RCN met with the DFM (Kate Higgins, Special Adviser, present) (11/10/2017)	Joint Nursing and Midwifery - tbc, GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
Unite	Committee Papers	15/09/2017	18/09/2017	No response received from stakeholder	<a href="#">FOI/17/02940</a>		Joint Nursing & Midwifery (31/8/17, 23/11/17)	Joint Nursing and Midwifery - tbc
NHS Lothian	Committee Papers	15/09/2017	18/09/2017	Phone call 19/09/2017	<a href="#">FOI/17/02940</a>		CEL 29 (23/8/2017), Draft Statutory Guidance Meeting (25/10/17), Named Person Service Providers (21/6/17, 14/11/17)	CEL 29 - 15/3/2018, 3/5/2018, 6/12/2018, Draft Statutory Guidance - 20/2/2018
Law Society of Scotland	Committee Papers	15/09/2017	19/09/2017	Phone call. 20/09/2017	None	None		
Faculty of Advocates	Committee Papers	15/09/2017	19/09/2017	Phone call. No answer.	None	None		
Consultant Dental Health - Dumfries and Galloway	Committee Papers	15/09/2017	18/09/2017	Offer declined	<a href="#">FOI/17/02940</a>		Dental (05/09/2017)	Dental - tbc
Director of Public Health & Health Policy – NHS Highland	Committee Papers	15/09/2017	18/09/2017	Phone Call 19/09/2017	<a href="#">FOI/17/02940</a>	None	Medical (29/8/17, 14/11/17)	Medical - tbc
Committee Session - 27 <sup>th</sup> September 2017	How Scottish Government found out which stakeholders were giving evidence	Date that Scottish Government found out which stakeholders were giving evidence	Date Scottish Government Officials Contacted stakeholder	Date of Meeting / Phone Call	Related correspondance	Link to Meeting Notes	Other Standing Scheduled Meetings that Organisation has attended	Further meetings scheduled
Dumfries and Galloway Council	Committee Papers	22/09/2017	No Contact				GIRFEC Lead Officer (4/9/2017)	GIRFEC Lead Officer - 20/3/2018, 10/7/2018, 11/2018 tbc
University of Edinburgh	Committee Papers	22/09/2017	No Contact					
North Ayrshire Health and Social Care Partnership	Committee Papers	22/09/2017	26/09/2017	Offer declined	<a href="#">FOI/17/02940</a>			
Glasgow City Health and Social Care Partnership	Committee Papers	22/09/2017	No Contact					GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.



Committee Session – 4 <sup>th</sup> October 2017	How Scottish Government found out which stakeholders were giving evidence	Date that Scottish Government found out which stakeholders were giving evidence	Date Scottish Government Officials Contacted stakeholder	Date of Meeting / Phone Call	Related correspondance	Link to Meeting Notes	Other Standing Scheduled Meetings that Organisation has attended	Further meetings scheduled
National Day Nurseries Association	Committee Clerks	26/09/2017	No Contact				Third Sector (10/8/2017)	
Scottish Council of Independent Schools	Committee Clerks	26/09/2017	No Contact				Named Person Service Providers (21/06/2017, 14/11/2017)	
Scottish Guidance Association	Committee Clerks	26/09/2017	29/09/2017	Phone Call 02/10/2017	See Annex E for email communication.	None	Third Sector (10/8/2017) Draft Statutory Guidance Meeting (25/10/2017)	Draft Statutory Guidance Meeting - 20/2/2018
Information Commissioner's Office	Committee Clerks	26/09/2017	No Contact				ICO Meeting (16/8/2017)	GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
EIS	Committee Clerks	26/09/2017	28/09/2017	Meeting arranged for after committee session 07/11/2017	See Annex E for email communication.	None	SG Officials with EIS (7/11/17)	GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
Unison	Committee Clerks	26/09/2017	No Contact				Joint Nursing & Midwifery (31/8/17, 23/11/17)	Joint Nursing & Midwifery Meeting - tbc
Committee Session – 25 <sup>th</sup> October 2017	How Scottish Government found out which stakeholders were giving evidence	Date that Scottish Government found out which stakeholders were giving evidence	Date Scottish Government Officials Contacted stakeholder	Date of Meeting / Phone Call	Related correspondance	Link to Meeting Notes	Other Standing Scheduled Meetings that Organisation has attended	Further meetings scheduled
Police Scotland	Committee Papers	06/10/2017	09/10/2017	Meeting 17/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>	CEL29 (23/8/2017), GIRFEC Lead Officer (4/9/2017)	CEL 29 - 15/3/2018, 3/5/2018, 6/12/2018, GIRFEC Lead Officer Meeting - 20/3/2018, 10/7/2018, 11/2018 tbc, GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
Children and Young People's Commissioner Scotland	Committee Papers	06/10/2017	10/10/2017	Meeting 19/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>	Third Sector (10/8/2017), Meeting with Kate Higgins, Special Adviser (12/10/17)	

Centre for Excellence for Looked After Children in Scotland	Committee Papers	06/10/2017	09/10/2017	Meeting 19/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>	Third Sector (10/8/2017), CELCIS & Director for Children and Families regular catch up (10/10/2017)	GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
Centre for Youth and Criminal Justice	Committee Papers	06/10/2017	11/10/2017	Meeting 19/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>		
Scottish Prison Service	Committee Papers	06/10/2017	21/09/2017 (SPS approached SG)	03/10/2017	See Annex E for email communication.	None	Named Person Service Providers Meeting (21/6/2017, 14/11/2017)	
Colleges Scotland	Committee Papers	06/10/2017	18/10/2017	Meeting 23/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>		
Care Inspectorate	Committee Papers	06/10/2017	18/10/2017	Meeting 18/10/2017	None	<a href="#">FOI/17/02787</a>	NISG - 26/06/2017, 18/08/2017, 11/10/17, 8/12/17	NISG - 14/2/2018, 19/4/2018, 19/6/2018, 08/2018 tbc, 10/2018 tbc
<b>Committee Session – 1<sup>st</sup> November 2017</b>	<b>How Scottish Government found out which stakeholders were giving evidence</b>	<b>Date that Scottish Government found out which stakeholders were giving evidence</b>	<b>Date Scottish Government Officials Contacted stakeholder</b>	<b>Date of Meeting / Phone Call</b>	<b>Related correspondence</b>	<b>Link to Meeting Notes</b>	<b>Other Standing Scheduled Meetings that Organisation has attended</b>	<b>Further meetings scheduled</b>
Crossreach	Standard stakeholder engagement	02/10/2017	02/10/2017	Phone Call 02/10/2017		None	Draft Statutory Guidance Meeting (25/10/17, 10/8/17)	Draft Statutory Guidance Meeting - 20/2/2018
Barnardo's Scotland	Orgnisation informed SG officials they were giving evidence	24/10/2017	24/10/2017	Joint Meeting with Aberlour 26/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>	Third Sector (10/8/2017), Phone Call with Director of Children and Families (13/10/2017), Coalition of Care Providers Scotland Meeting which Director of Children and Families attended (2/11/2017), Phone Call with Kate Higgins, Special Adviser (7/11/17)	

Aberlour Child Care Trust	Orgnisation informed SG officials they were giving evidence	04/10/2017	04/10/2017	Joint Meeting with Barnardo's Scotland 26/10/2017	<a href="#">FOI/18/02966</a>	<a href="#">FOI/17/02787</a>	Third Sector (10/8/2017), Coalition of Care Providers Scotland Meeting which Director of Children and Families attended (2/11/2017), Phone Call with Kate Higgins, Special Adviser (2/11/17), Phone call with SG Official (3/11/17)	GIRFEC Practice Development Panel - 13/2/2018, 14/3/2018, 5/2018 tbc, 09/2018 tbc.
Families Outside	Committee Papers	27/10/2017	30/10/2017	Phone Call 30/10/2017	None	None	Third Sector (10/8/2017)	
No to Named Persons Campaign			No Contact					
Scottish Parent Teacher Council			No Contact				With SG Officials 16/09/2017	
Clan Childlaw			No Contact					