



E: [permanentsecretary@gov.scot](mailto:permanentsecretary@gov.scot)

Kenneth Gibson  
Convener  
Finance and Public Administration Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

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Dear Convener,

Thank you for your letter of 19 September following our earlier exchanges on the Finance & Public Administration Committee's *Inquiry into Effective Scottish Government Decision Making*.

In your letter you request further information across a range of areas and ask that the Committee be updated by the end of March 2024, ahead of my annual evidence session. I set out here a response on each of the points addressed to me.

These cover:

- i. My commitment to “explore what further information can be made more accessible publicly” in relation to my role and relationships with wider civil service governance and how the civil service working for the Scottish Government explains what it does;
- ii. the assignment to all jobs of the civil service of profession classifications, job families and job types which I explained is designed to enhance capabilities and provide for career development and identify the jobs most affected by churn;
- iii. the review of the content of letters of delegation (to be issued in April 2024) “to ensure any issues raised by the Committee in relation to the Scottish Civil Service” are considered;
- iv. and lastly, how the Committee’s recommendations (regarding accountability for improving standards) have been used to inform the next phase of work on Policy Profession Standards.

A letter from the Deputy First Minister responds on a separate set of issues, upon which you also sought update by March-end this year.

- i. My commitment to explore what further information can be made more accessible publicly in relation to my role and relationships with wider civil service governance and how the civil service working for the Scottish Government explains what it does;

As noted in my earlier letter, I am committed to exploring what further information can be made more accessible publicly in relation to my role and relationships with wider civil service governance and how the Civil Service working for the Scottish Government explains what it does. We are currently delivering Scotland's third Open Government National Action Plan in partnership with civil society – with a focus on transparency and continued improvement in the way we make information available publicly.

Information held on our external Scottish Government [website](#) includes details of my role as the Permanent Secretary and describes how the Civil Service is structured, outlining the responsibilities of the Directors General, across Directorates and public bodies. This enables members of the public to better understand the work being delivered for the people of Scotland through the Civil Service.

In addition, our In the Service of Scotland (ITSOS) framework sets out our organisational mission, vision and values. The framework codifies the organisation we want to be and guides our ways of working. Our values build on the foundations of the [Civil Service Code](#) and guide how we act, the decisions we take and how we work together, across all parts of government, to improve the lives of the people of Scotland.

As an example of how the Framework shapes our work, the [Annual Governance Statement 2022/23](#) outlines our 'Corporate Transformation: In the Service of Scotland' priorities. These priorities, agreed by Cabinet, are delivering improvements across our culture, organisational design, and service innovation. The Governance Statement also outlines our work on the National Performance Framework which informs our ITSOS mission.

Our fundamental working methods in the Scottish Government are consistent with the broader functioning of the UK Civil Service. Civil servants across both the Scottish Government and the UK Government are subject to the [Civil Service Code](#), operating to the same core principles. These principles support civil servants in moving across governments,

operating based on the values of honesty, impartiality, integrity, and objectivity.

I participate in the Civil Service Permanent Secretaries Network. I have been a member of the [Civil Service Board](#) (CSB) since September 2022, which meets monthly. The membership comprises of the Cabinet Secretary and the Permanent Secretary for HM Treasury with other members being appointed on a rotating basis. Members sit in a corporate capacity, representing the Civil Service overall, rather than the interests of any particular department.

The CSB is the senior decision-making forum for the Civil Service. It sets the strategic direction for the operating model of the Civil Service; tackles long-term cross-cutting and cultural challenges; and makes decisions on behalf of the whole Civil Service. Its mission is *“to structure, prepare and equip the Civil Service to deliver improved outcomes from effective leaders and skilled people, in a great place to work.”*

As outlined in my earlier correspondence, as Permanent Secretary, I am responsible for the day-to-day exercise and leadership of the Civil Service serving Scottish Ministers, authority having been delegated through the Scheme of Delegation from the First Minister. I also act as principal policy advisor to the First Minister and Cabinet.

Separately, under the Public Finance and Accountability (Scotland) Act 2000, I am, as Principal Accountable Officer for the Scottish Administration, required to ensure the economic, efficient, and effective use of our resources. I am answerable in this respect directly to the Scottish Parliament.

Through the remit of the Scottish Government Audit and Assurance Committee (SGAAC), Members provide advice to me as Permanent Secretary on the effectiveness and robustness of Scottish Government corporate governance mechanisms, including the strategic processes for managing risk.

This includes support for monitoring the corporate governance and control systems, seeking assurance that risks are properly managed; commenting on the appropriateness of the risk management and assurance processes that are in place; and assisting in the identification of emerging risks, in particular, cross-cutting organisational or strategic risks.

We have recently reviewed our Director General Assurance processes to ensure they remain effective and fit for purpose; a pilot approach was

trialled from late 2023, with the aim of supporting a more thematic and assurance-focused conversation on priorities. The Scottish Government Non-Executive Directors and Audit Scotland contributed valuable insights that informed this review and continue to add value through the Assurance process. The refreshed approach is now being adopted as standard across Director General portfolios.

Our ongoing Risk Management Improvement Programme has strengthened the processes for the identification, management, reporting and discussion of risk at Executive Team and Corporate Board.

Assurance on the efficacy of these arrangements is provided by our second line of assurance Risk Management Policy Team to SGAAC, where Non-Executive Directors have the opportunity to challenge the approach to ensure it remains fit for purpose and supports delivery of Scottish Government priorities.

Our corporate capability is strengthened by the introduction of mandatory risk management learning for all civil servants within the Scottish Government and through our annual assessment of risk management maturity. This assessment provides all Directors with recommendations to support the development of their approach to the management of risk.

A refresh of the Scottish Government's approach to risk appetite in FY24-25 will further support both the management of risk and the efficient escalation of risk through the organisation. A horizon scanning programme has also commenced to identify Scotland-wide risks and opportunities, across a 10-20-year timeframe, intended to support future policy development and decision making.

SGAAC members recently noted that Scottish Government's approach to risk management had improved in the last 18 months, highlighting the strengthened focus on the sufficiency of actions identified in supporting progress towards target scores, and on areas cutting across multiple Director General families.

We are committed to transparency and to learning lessons from the UK Covid Inquiry evidence sessions. The First Minister has commissioned an external review into the use of mobile messaging apps and non-corporate technology in the Scottish Government. An announcement regarding the scope of the review is expected shortly.

The Information Commissioner also recently launched a separate intervention into the Scottish Government's handling of informal communications and steps taken to record key decisions and actions. This is

at an early stage. Scottish Government officials will engage with the Commissioner as this work progresses. We will await the outcome of these reviews, drawing on recommendations and learnings to inform our records management policies and practices going forward.

The Scottish Government published its refreshed Freedom of Information (FOI) Improvement Plan in January 2024. The plan builds on previous work and is structured around the five areas of concern identified by the Scottish Information Commissioner in his most recent progress report on his intervention into FOI performance at Scottish Government. Investment in key roles has enabled a number of initial improvements to improve response times and training across the business at the same time as building resilience and capability via longer-term projects. These span the key themes of clearance procedures, quality assurance, casefile handling, case file records management and FOI monitoring.

To foster a culture of greater openness and transparency, the Scottish Government is now publishing all [annual mandate letters](#). For the first time we have also published the annual performance report as part of the [Annual Review of Accounts \(2022/23\)](#). All this work is supported by very regular attendance of Directors General and senior civil servants at Committee, to give evidence, to support debates and update the Scottish Parliament on progress around key priorities.

- ii. the assignment to all jobs of the civil service of profession classifications, job families and job types which I explained is designed to enhance capabilities and provide for career development and identify the jobs most affected by churn;

As part of our new HR and Finance system (Oracle Cloud) all jobs are being classified into a profession and a related job family and job type. This will provide insight into the mix of jobs and capabilities across Scottish Government and information concerning how such skillsets are deployed. In time, this will enable us to:

- More flexibly deploy our expertise, as priorities change;
- forecast the demand for job types and capabilities, proactively identify shifts and gaps, and build more targeted and evidence-based workforce strategies (e.g. recruitment, talent schemes);
- better identify which job types are hard to recruit for and retain, and help us consider what we can do to intervene to manage this;
- set clearer and more consistent expectations and capability standards for job types across Scottish Government and;
- map learning and career pathways towards critical job types and adopt more nuanced succession planning.

We are already seeing the benefits of measures to reduce churn in some key areas. The Digital, Data and Technology Profession have continued to develop standards and approaches to increase our ability to attract and retain high quality talent in the Scottish Government.

Continuing our approaches to reduce reliance on contingent labour and managed services, the Digital Recruitment Service has been implemented over 2023/24 which has seen a significant increase in successful permanent recruitment. This has also delivered considerable savings as we have been able to reduce the number of contingent labour posts. Over the financial years 2022/23 and 2023/24 more than £1m in savings have been realised and a further £2.34m are forecast for the coming financial year. The service is also planning to scale its offer across Scottish Government and core agencies over 2024/25, unlocking additional savings.

All of this is taking place within a wider People Strategy, and our improvements to workforce planning. These efforts are delivering reductions in our total workforce size, with contingent workers reducing by 29% to 1,436 contingent workers in December 2023, taking it below the pre-pandemic position in March 2020. The workforce controls applied from the beginning of the 22-23 financial year have avoided costs of £66.7m in our directly employed workforce, that would have been incurred had we continued to grow at the rate of the 21-22 financial year. These demonstrate the progress we are making to become a more efficient organisation, whilst improving the capability and diversity of our workforce.

- iii. the review of the content of letters of delegation (to be issued in April 2024) to ensure any issues raised by the Committee in relation to the Scottish Civil Service are considered;

We are currently reviewing the Scheme of Delegation ahead of issue for April 2024. This review of content in the Scheme will look to ensure issues raised by the Committee in relation to Senior Civil Service responsibilities are considered. I undertake to report back to the Committee on the outcome of this work in due course and am happy to share a copy of the Scheme of Delegation (2024-25) with the Committee when it is finalised in April.

- iv. and lastly, how the Committee's recommendations (regarding accountability for improving standards) have been used to inform the next phase of work on Policy Profession Standards.

Work has progressed in operationalising the Civil Service Policy Profession Standards to develop an enhanced learning offer and curriculum for Scottish Government, led by experts from across the organisation and its professions.

The new curriculum, which will be available to all colleagues later in the Spring, supports business areas to drive improved consistency and performance in practices, by linking their guidance to professional standards, promoting learning content, and opening up these resources to all colleagues. To drive use of the curriculum, the Policy Profession will introduce new, regular events that increase opportunities to build a strong community of policy practice across the organisation, alongside structured learning pathways for different career stages, initially focused on induction.

The Policy Profession within Scottish Government is taking action to improve inputs to decision-making by commissioning colleagues to produce new, comprehensive guidance on working with Ministers. This guidance builds understanding of the formal accountabilities of Civil Servants and the processes by which decisions are made, as well as developing the core skills that support this, such as writing skills and the ability to interpret and draw conclusions from analysis and evidence.

New learning resources are being developed with relevant experts in the Executive Team Strategic Governance Office, to raise awareness of the corporate governance arrangements within Scottish Government, and colleagues' responsibilities within the formal Scheme of Delegation and Accountable Officer model. These learning resources will be brought together and delivered to staff via launch of the Policy Profession's new curriculum. They will provide significantly improved opportunities to develop the skills associated with the relevant [standards](#) – Working with Ministers (Policy Profession standard 2.1) and Governance and Project Delivery (Policy Profession standard 3.2) – from the professional capability framework of the Civil Service Policy Profession. Through these initiatives we aim to bring greater oversight to and accountability for the quality of decision making and will consider in due course what additional scrutiny is needed.

I am grateful to the Committee for its constructive engagement and ongoing support for our work to ensure a strong, professional, and effective Civil Service which delivers on the priorities of government and operates in line with the Civil Service Code and values. I look forward to updating the Committee in May on these and other matters.

Best wishes,

**JP Marks**  
**Permanent Secretary to the Scottish Government**