

Permanent Secretary

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Dear Convener,

I recently provided evidence at the Finance and Public Administration Committee and committed to follow up with further detail on a few areas.

You asked about the timing of the Scottish Government's approach to developing longer term insights. The latest Horizon Scanning exercise, considering a 10-20 year period, is designed to be a larger scale programme than previous exercises informed by extensive engagement. It was decided in Spring 2024 that more time was needed to engage with sectoral experts and process the insights and evidence gathered. That work is now complete, and the aim is to publish the longer-term insights from the Horizon Scanning exercise before summer recess. We will ensure the Committee clerks are kept apprised of the exact publication date once confirmed.

The Committee was also interested in the reform of the National Performance Framework. A project team is leading that work, putting in place stronger planning and governance, baselining the evidence base, analysing international practice, and developing the methodology to test potential models. The outputs of this work will be shared with the project board and expert advisory group later in April. It is expected that the reform work will take at least to the end of 2025 to conclude.

I offered to provide further information on the Small Vessels Replacement Programme (SVRP) Phase 1 procurement advice. Officials considered the risks around direct award when reviewing procurement options toward the end of the Outline Business Case process. The limitations and risks around potential direct award were set out in advice from Transport Scotland to Ministers on 20 December 2023. Ministers responded to the December 2023 briefing, requesting further detail on procurement options. I then led a cross departmental Review Group in the early part of 2024. Formal advice was issued to the First Minister on 5 June 2024 by the Deputy First Minister, Cabinet Secretary for Transport, and Cabinet Secretary for Finance, in which an overview of legal advice and potential approach to procurement was provided. SVRP Phase 1 procurement was considered and approved by Cabinet in June which then allowed CMAL to proceed with competitive tender starting on 16 July 2024.

Finally, I committed to providing further detail on the Scottish Government's EQIA process and the development of the EQIA for the Trans and Non Binary Employer policy. The Scottish Government's approach to gathering evidence for each EQIA

will vary according to the scope, focus and application of the policy or practice under development or review. The approach requires, as standard, for every protected characteristic to be considered. The potential impact on different protected characteristics may vary in degree from policy to policy. It is standard practice to take an individual approach as recommended by the [EHRC](#).

In relation to the EQIA for the Trans and Non Binary Employer policy, the working group lead and main author was an official from the People Directorate D+I team. The group contained two representatives of the LGBTI+ staff diversity network with lived experience, members of the Equality and Human Rights Directorate to provide policy expertise and representatives of the legal employee voice (the Committee of Scottish Government Unions). The latter was reflective of the policy being collectively bargained under the terms of the Partnership Agreement. The composition of the group was carefully considered and chosen to reflect the scope of the refresh. Data relating to all protected characteristics was considered throughout the EQIA and data representing the experiences of the protected groups of disability, age, sex and gender was analysed in detail. Full details can be found in the published [EQIA](#).

I trust this provides the further detail the Committee was seeking on issues raised.

Best wishes,

JP Marks
Permanent Secretary to the Scottish Government