



The Scottish Parliament
Pàrlamaid na h-Alba

COMMITTEE ON THE SCOTTISH GOVERNMENT HANDLING OF HARASSMENT COMPLAINTS

AGENDA

5th Meeting, 2020 (Session 5)

Tuesday 1 September 2020

The Committee will meet at 10.15 am in the Robert Burns Room (CR1).

1. **Decision on taking business in private:** The Committee will decide whether to take its work programme discussion on 8 September in private.
2. **Phase 1 - development of the Scottish Government policy on handling harassment complaints involving current and former Ministers:** The Committee will take evidence from—

Dave Penman, General Secretary, FDA;

Malcolm Clark, Convenor of the Council of Scottish Government Unions and PCS Scottish Government Group President.

3. **Review of evidence (in private):** The Committee will review the evidence it heard at agenda item 2.

Clerk to the Committee on the Scottish Government
Handling of Harassment Complaints
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The papers for this meeting are as follows—

SPICe paper

SGHHC/S5/20/5/1

PRIVATE PAPER

SGHHC/S5/20/5/2
(P)

Committee on Scottish Government Handling of Harassment Complaints**5th Meeting, 2020 (Session 5), Tuesday 1 September 2020****Scottish Government policy on handling complaints involving current and former Ministers****Evidence session 3: 1 September 2020**

This paper has been produced prior to the Committee on the Scottish Government Handling of Harassment Complaints third evidence session. Witnesses are representatives from trade unions recognised by the Scottish Government. Specifically:

- Dave Penman, General Secretary, FDA; and
- Malcolm Clark, Convenor of the Council of Scottish Government Unions and Scottish Government Group President, PCS Scotland.

On 7 July 2020 the Committee wrote to [FDA](#), [PCS Scotland](#) and [Prospect](#) seeking information in relation to its inquiry. These trade unions are recognised by the Scottish Government and represent Scottish Government staff who are members. As such, these unions were involved in the development of the Procedure on handling of harassment complaints involving current or former ministers.

In its letters of 7 July 2020, the Committee sought evidence on the following specific questions:

- what you understood to be the Scottish Government's initial intention in creating a new policy;
- how the purpose of the policy evolved during the drafting process, and for what reason;
- whether the Scottish Government engaged sufficiently with you and other key stakeholders with expertise in the process;
- whether the Scottish Government sought to ensure the policy reflected best practice and approaches taken elsewhere;
- whether you are aware of the extent to which drafting decisions to amend the policy were taken at an official or political level; and
- the extent to which your views were factored into the agreed policy.

The Committee also asked for any comments on organisational culture of the Scottish Government which trade unions felt was relevant to share in terms of background to the development of the policy on harassment complaints involving current and former Ministers.

Submissions from [FDA](#) (including [Annexes A](#), [B](#), [C](#) and [D](#)), [PCS Scotland](#) and [Prospect](#) (which also provided a [further submission](#)) have been published on the Committee's webpage.

As with the last two evidence sessions on 18 and 25 August, today's meeting will focus on the development of the policy on complaints against current and former Ministers, which is phase 1 of the Committee's inquiry.

On 30th April 2020, [the Committee wrote to the Permanent Secretary](#) seeking information from the Scottish Government in relation to the development, formulation and implementation of the policy on the handling of harassment complaints involving current or former Ministers. Documents received from the Scottish Government relevant to phase 1 of the inquiry have been published on the [Committee's webpage](#).

Written submissions received from two former Permanent Secretaries to the Scottish Government, [Sir John Elvidge](#) and [Sir Peter Housden](#), have also been received by the Committee. These were published on the Committee's webpage on 27 August 2020.

The Permanent Secretary gave evidence on this phase of the inquiry on 18 August 2020 and the *Official Report* of proceedings is available [here](#). The Committee also heard from senior Scottish Government Officials James Hynd; Head of Cabinet, Parliament and Governance Division, and Nicola Richards; Director of People on 25 August 2020. Similarly, the *Official Report* is available [here](#).

The Committee has also engaged in correspondence with the Scottish Government including in relation to the evidence submitted for this phase of the inquiry and all letters are on the Committee's [webpage](#).

[The Committee's remit and approach to its inquiry](#) is available on the Committee's webpage.

**Clerks and SPICe Research
August 2020**