



Linda Fabiani MSP Convenor
– Committee on the Scottish
Government Handling of
Harassment Complaints
c/o Clerk to the Committee
Room T1.03
The Scottish Parliament
Edinburgh
EH99 1SP

20 November 2020

Dear Ms Fabiani

Committee on the Scottish Government Handling of Harassment Complaints

At the meeting of the Committee on 17 November I undertook to write to the Committee to provide further information in response to questions raised.

Police complaints

Ms Mitchell asked when I had informed the First Minister of my decision that the complaints against the Former First Minister should be referred to the police. I answered that I believed the date was 22 August but would need to check. I can now confirm that the date was 22 August 2018.

Settlement of legal expenses

Mr Cole-Hamilton asked whether the First Minister signed off on the final sum that was paid to the Former First Minister. I can confirm that the answer I gave – that the settlement of the former First Minister's expenses was agreed on behalf of the Scottish Government and that the First Minister was aware of this – was accurate.

Text message from Barbara Allison

Ms Baillie asked me to check whether I still have the text message sent by Barbara Allison to me, to which I replied on 8 January 2019. I have checked and I do not have this text message.

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Minutes of update meetings

Ms Baillie asked about meetings coordinated by my office and why minutes of these have not been provided to the Committee. Scottish Government responsibility for recording meetings is clear: to ensure all information of importance – of corporate value – is properly recorded. As I explained, there were different kinds of meetings taking place throughout the Judicial Review process. As well as consultations with counsel and meetings within the Legal Directorate, there were informal coordination meetings which were predominately for the purposes of information sharing. This type of conversation does not form part of the corporate record and as such, no formal minutes were recorded.

Improvements to corporate information processes

In responding to a question from Ms Johnston I offered to provide further detail in writing of steps taken by the Scottish Government since the Judicial Review to improve processes for interrogation of corporate information.

Improved document management practices and enhanced digital storage and tools are critical to ensure any future disclosure exercises are conducted in a more forensic manner. This should include clearer and earlier guidance to help staff better understand what is being asked of them and how and when this should be achieved.

To this end the Director General for Organisational Development and Operations, who is the Scottish Government's Senior Information Risk Officer (SIRO), has commissioned a review of our corporate information management processes for storage, retrieval and deployment of corporate information. This review will consider roles, responsibilities and information management good practice across the organisation, as well as our new technology. It will also address storage, retrieval, search and publication of information in a digital world. This work is all underpinned by requirements of the General Data Protection Regulations and adherence to the National Performance Framework values to respect rule of law and act in open and transparent way.

The review is on track to provide its recommendations to the SIRO in early December as scheduled. I would be happy to share these with the Committee.

Over the past twelve months we have implemented a number of improvements:

- We have introduced an eDiscovery solution, which can search information across digital storage platforms and systems;
- We have a new corporate cloud collaboration platform, to enable safe and controlled sharing of documents with stakeholders and partners;
- We are continuing to digitise legacy paper files; and
- We are also strengthening the leadership and resources within our information management function.

We are committed to making any improvements required to strengthen our information handling at a corporate level in terms of our practices, our skills and our digital tools.

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Yours sincerely

Leslie Evans
Permanent Secretary to the Scottish Government

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