



The Scottish Parliament  
Pàrlamaid na h-Alba

Information Management and Governance  
Scottish Parliament  
Edinburgh  
EH99 1SP

foi.officer@parliament.scot

24 February 2022

Dear Requester

**REQUEST FOR INFORMATION: 2022-671105**

We acknowledge your request for the following information:

*1) Any email correspondence between senior parliamentary officials sent or received in 2020 from the then-Commissioner for Ethical Standards in Public Life, Caroline Anderson.*

Your request was received on 28 January 2022 and has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

We have interpreted your request as seeking incoming and outgoing correspondence between senior parliamentary officials and the Commissioner for Ethical Standards in Public Life during 2020.

In terms of the correspondence between the Ethical Standards Commissioner and the Clerks of the Standards, Procedures and Public Appointments Committee (the Standards Clerks) we hold the following information:

- Email from the Standards Clerks to the Ethical Standards Commissioner dated 20 February 2020, issued at 11:53 regarding the arrangements for the evidence session.
- Email from the Ethical Standards Commissioner to the Standards Clerks dated 20 February 2020, issued at 12:55 regarding the arrangements for the evidence session.
- Email from the Standards Clerks to the Ethical Standards Commissioner dated 2 March 2020, issued at 13:36 regarding arrangements for the Commissioner to talk to the Committee in private.

- Email from the Ethical Standards Commissioner to the Standards Clerks dated 6 March 2020, issued at 15:53 regarding the arrangements for a private evidence session with the Committee.

Copies of this correspondence is provided.

The names of individuals who are not senior officials have been redacted, as we consider this information to be exempt information under section 38(1)(b) of FOI(S)A. As we have decided not to disclose some of the information you have requested that is held by us, we have provided a notice in terms of the technical requirements under FOI(S)A giving reasons for this.

We have also withheld information from the email to the Ethical Standards Commissioner dated 2 March 2020 as we consider this information to be exempt information in terms of section 30(b)(ii) of FOI(S)A – free and frank exchange of views for the purposes of deliberation. The reasons for the use of this exemption are set out in the attached refusal notice.

We hold the following documents which were issued as attachments to email correspondence with the Ethical Standards Commissioner in respect of a complaint against a Member under the Code of Conduct for MSPs:

- Report from the Ethical Standards Commissioner dated 5 June 2020.
- Letter from the Convener of the Standards Committee to the Ethical Standards Commissioner dated 29 June 2020.
- Letter from the Commissioner for Ethical Standards to the Convener of the Standards, Procedures and Public Appointments Committee (the Standards Committee) dated 27 July 2020.
- Bundle of documents relating to the complaint

These documents are published in the Committee Report which can be accessed [here](#). As this information is publicly available on the Scottish Parliament website, we have attached a notice in terms of the technical requirements under section 25 of FOI(S)A, in respect of information that is otherwise available.

We also hold the following correspondence:

- Letter from Officeholders Services of the Scottish Parliamentary Corporate Body (SPCB) to the Ethical Standards Commissioner dated 29 June 2020 regarding phase II of their office restructure. This letter includes information about voluntary severance payments details of which have been withheld under section 38(1)(b) of FOI(S)A as the personal data of the individuals receiving such payments. The reasons for the use of this exemption are set out in the attached refusal notice.

- Letter from the Ethical Standards Commissioner to the Chief Executive Officer dated 14 July 2020 with an update on the work being carried out by the Ethical Standards Commission.

Copies of this correspondence is provided.

We have not included email correspondence of an administrative nature for the purposes of issuing these documents, however, if you would like to have sight of this information then we will be happy to provide copies.

Finally, we hold the following correspondence about a complaint made to the Ethical Standards Commissioner:

- Email sent on behalf of the Ethical Standards Commissioner to the Standards Clerks dated 21 January 2020.
- Email from Standards Clerks to the Ethical Standards Commissioner dated 29 January 2020.
- Email sent on behalf of the Ethical Standards Commissioner to the Standards Clerks dated 30 January 2020.
- Email sent on behalf of the Ethical Standards Commissioner to the Standards Clerks dated 31 January 2020.

This correspondence which relates to the investigation by the Ethical Standards Commissioner of a complaint is withheld in terms of section 26(a) of FOI(S)A which provides that information is exempt from disclosure where disclosure (i) is prohibited by or under an enactment. The reasons for the use of this exemption are set out in the attached refusal notice.

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit:

<https://archive2021.parliament.scot/abouttheparliament/17700.aspx>

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright

<https://www.parliament.scot/about/copyright>

We would welcome feedback or comment on how we handled your request. Please feel free to contact the Head of Information Governance at

[foi.officer@parliament.scot](mailto:foi.officer@parliament.scot)

Please find below Annex A, which explains how we handle FOI requests and reviews.

**We are currently working remotely and so would ask you to contact us by email at [foi.officer@parliament.scot](mailto:foi.officer@parliament.scot)**

Yours sincerely,

Robin Davidson  
Head of Information Governance

## REQUESTS MADE UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

### How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Alternatively, please contact the Public Information & Resources Team to request a copy.

<https://www.parliament.scot/contact-us>

### Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance  
The Scottish Parliament  
Edinburgh  
EH99 1SP  
Telephone: 0131 348 5281

We welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: [foi.officer@parliament.scot](mailto:foi.officer@parliament.scot)

### Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews  
Fife  
KY16 9DS

Email: [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

Telephone: 01334 464610

Fax: 01334 464611

Website: [www.itspublicknowledge.info](http://www.itspublicknowledge.info)

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

### **Copyright in relation to information provided**

The supply of information under FOI does not constitute permission for its use in a way that would infringe copyright. Where relevant you should obtain permission from the copyright holder before any such use.

### **Feedback or comment**

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

### **Data Protection**

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

### **Complaints**

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

### **How to contact us**

Post: The Scottish Parliament  
Edinburgh  
EH99 1SP

Telephone: 0131 348 5000  
0800 092 7500 (Public Enquiries)  
0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

E-mail: [info@parliament.scot](mailto:info@parliament.scot)