



The Scottish Parliament
Pàrlamaid na h-Alba

15 May 2018

REQUEST FOR INFORMATION: 2018-606119

Please find attached the correspondence requested under FOI request 2018-606119. You asked for:

“...all correspondence between Scottish Parliament clerks and any Scottish government minister/official/special adviser regarding the work of the Education and Skills Committee relating to the Children and Young People (information Sharing) (Scotland) Bill.

This should include, but not be exclusive to, any discussing of the identity of witnesses due to appear before the committee to discuss the bill.

It should also include, but not be exclusive to, any discussion of the content of Scottish Government/ministerial correspondence to the committee in relation to the identification of witnesses and meetings held by the government with committee witnesses, both before and after this has been published on the parliament's website.”

In addition to the emails in annexe A, we hold a number of emails which simply state that a letter or public Committee meeting papers are attached. These letters between the Committee and the Cabinet Secretary and also the Committee papers have all been published on the [Committee's webpage on its scrutiny of the Bill](#). We presume that you do not wish to see these administrative emails but are happy to send them to you on request. I also attach a refusal notice at Annexe B that explains the basis for redaction of information in certain emails. No emails are being withheld.

It is normal practice for clerks to liaise with the Scottish Government during the course of a bill. For reference, the broad terms of engagement and communication between clerks and government officials is set out in the [Protocol between the Scottish Parliament and the Scottish Government](#), specifically the section on General Liaison at the end of the Protocol.

Yours sincerely

Claire Turnbull
Head of Information Governance

Exchange 1

From: [Clerk to the Committee]
Sent: Tuesday, June 20, 2017 10:53 AM
To: [redacted]
Cc: [redacted]

Subject: RE: Bill process

Sorry [redacted] it's me again!

Just to say that as the bill will be in the public domain in the morning, and the committee meets in the morning, it is possible we will be asked about the Codes of Practice at some stage in private by interested members so any update that we can reasonably share with members much appreciated.

Alternatively the Committee will be considering its approach to the Bill a week on Wednesday (in private) so an update by then if tomorrow is too tight a timescale much appreciated,

For what it is worth the fact the committee will consider its approach at its last meeting before the recess removes the possibility of officials being asked to brief the Committee before the Summer, hope that helps shorten the current to do list a little.

Thanks

[redacted]

From: [redacted]
Sent: Friday, June 16, 2017 9:14 AM
To: [Clerk to the Committee]

Cc: [redacted]
Subject: RE: Bill process

[redacted]

I haven't forgot to respond to this, we are just trying to overcome some obstacles just now but I will get back to you.

[redacted]

From: [Clerk to the Committee]
Sent: 15 June 2017 19:36
To: [redacted]
Cc: [redacted]
Subject: RE: Bill process

Hi [redacted]

Can I add to my question below, when will the consultation on the Codes of Practice commence? I am hoping the answer is that the consultation will commence when the Codes are published as our planned approach is to invite views on the bill in the call for views and re-route anyone seeking to comment on the Codes to you to avoid confusion / duplication of effort.

The approach paper will issue to the Committee as soon as the bill is in the public domain so if at all possible an answer tomorrow on this would be very much appreciated,

Thanks and sorry to add to your workload at the moment,

[redacted]

From: [Clerk to the Committee]
Sent: Thursday, June 15, 2017 1:24 PM
To: [redacted]
Cc: [redacted]
Subject: RE: Bill process

Hi [redacted]

Do you want to offer up a briefing from the DFM as he would normally only appear at the end of the process? I think it is standard to offer a briefing from officials and I am assuming they will definitely want one in September (possibility they would also want an informal one on 28th June and I'll be able to confirm that with you next Wednesday lunchtime).

Hope that helps and happy to answer any other questions,

Thanks for the information on the Code of Practice, do you have any information on when the consultation on the code of practice will end or is that yet to be decided?

Thanks

[redacted]

From: [redacted]
Sent: Wednesday, June 14, 2017 5:05 PM
To: [Clerk to the Committee]
Cc: [redacted]
Subject: RE: Bill process

[redacted]

Another query you may be able to help me with. On Monday a letter will be sent from DFM to Convenor of E&S Committee, [redacted]. I would appreciate your advice whether or not we should state in the letter that DFM and officials would be happy to provide a briefing to the committee once summer recess is over. Would this be an issue?

Thanks

[redacted]

Exchange 2

From: [redacted]

Sent: Wednesday, June 28, 2017 11:48 AM

To: [Clerk to the Committee]

Subject: Committee meeting

Hi [redacted]

I hope the meeting went well. Is there any updates on the Bill in terms of call for evidence etc.? [redacted] I will be on leave next week so the earlier we know anything the better really.

Thanks

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures |
Directorate for Children and Families | Scottish Government | Area 2C North | Victoria Quay |
Edinburgh | EH6 6QQ

Exchange 3

From: [redacted]

Sent: Thursday, June 29, 2017 1:05 PM

To: [Clerk to the Committee]

Subject: RE: Committee report for 28 June 2017

Hi [redacted]

Thank you. Apologies for duplicating the work for you, [redacted] is on leave now and hasn't had a chance to talk to us. The official report hasn't been published yet, but I will check again later. It would be good to know if there were any actions we need to take straight away or if they could wait till next week. Thanks

Thanks

[redacted]

[redacted]

Bill Team Policy Officer

Children and Young People (Information Sharing) Scotland Bill

From: [Clerk to the Committee]

Sent: 29 June 2017 12:55

To: [redacted]

Subject: RE: Committee report for 28 June 2017

Hi [redacted]

I discussed this with [redacted] yesterday and so feel free to talk this through with him – the bill discussion was in private but the minutes are online and I'll send a note of action points early next week. Like I say, [redacted] is aware of all this,

Thanks

[redacted]

From: [redacted]

Sent: Thursday, June 29, 2017 10:14 AM

To: [Clerk to the Committee]

Subject: Committee report for 28 June 2017

Hi [redacted]

I am in the Children and Young People (Information Sharing) Bill Team. As you may be aware the Bill was introduced on Monday and we were hoping to hear that the Ed and Skills Committee would formally accept the scrutiny of the Bill in yesterday's meeting. I could not see the report on the Parliament website. Could you let me know when it might be published please? Or, if you could give me a summary of what was discussed regarding the Information Sharing Bill, it would be most helpful. We were wondering if there was a request of "call for evidence"? Please feel free to call me on the number below. Thank you so much.

Regards

[redacted]

[redacted]

Policy Officer

Children and Young People (Information Sharing) Scotland Bill Team

Scottish Government | Children and Families Directorate | Creating Positive Futures Division

Victoria Quay | Area 2C North | Edinburgh | EH6 6QQ

[redacted]

[redacted]



Making Scotland the best place to grow up
<http://www.gov.scot/Topics/People/Young-People/gettingitright>

| [@girfec](#) | [#bestplacetogrowup](#)



Exchange 4

From: [Clerk to the Committee]

Sent: Friday, July 07, 2017 12:30 PM

To: [redacted][redacted]

Cc: [redacted]

Subject: Education and Skills Committee scrutiny

Dear [redacted]

I finish up today for a while so I wanted to just highlight the committee decisions I have discussed with other members of your team before I head off.

Specifically that:

- The committee wants to hold the briefing from your team on the bill in formal session on the morning of 6th september in committee room 1 at 10 am – have a think who wants to attend and whether there is any further info the committee could benefit from in addition to what is already published that you would like to provide. I am assuming you would want to make an opening statement on what the bill does, I think that would be helpful for members and the public who are coming to the issue with no background knowledge (5-10 mins max). I'll be back in touch nearer the time for names of witnesses and to discuss practical arrangements.
- The committee will write to the DFM today asking for information on the timescales for consulting on the final draft of the code of practice and also to ask whether there are any planned stage 2 amendments (the cttee can scrutinise them at stage 1 if told about them at an early stage) – a response to that letter within a month is the usual requirement. I will copy you into this letter when it issues.
- The committee has published its call for views and also will publish a short quantitative survey on the approach taken in the illustrative code of practice next week - the committee plans to hear from witnesses in formal evidence – the committee will select witnesses based on written submissions received by 25th August and also to hold a focus group with named persons on 13th September.

Think that's everything but do get in touch if you need anything else over the summer. The committee mailbox is [redacted] and this should be used for queries in my absence,

Regards

[redacted]

Clerk

Education and Skills Committee

[redacted]

Exchange 5

From: [redacted]

Sent: Tuesday, July 25, 2017 2:23 PM

To: [Clerk to the Committee]

Cc: [redacted] [redacted]

Subject: [redacted]

Apologies,

I seem to have copied in [redacted] my mistake instead of [redacted]. I don't think the Forestry Commission can help with this! Sorry [redacted]!

[redacted]

From: [redacted]

Sent: 25 July 2017 14:19

To: [Clerk to the Committee]

Cc: [redacted]

Subject: Committee Meeting

Hi [redacted],

Hope you had a great break.

I am enquiring about the next scheduled Committee meeting on the 6th of September. Can you confirm that the committee wish to have this meeting on record?

I would also like to ask if you have any indication when the Financial Committee will submit their call for evidence and what this Committees role will be throughout the bill process?

Finally, are you in a position to update us on the meeting agenda for the 6th September or if there is a clearer timetable at this point?

Regards

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures |
Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay
| Edinburgh | EH6 6QQ

[redacted]

Exchange 6

From: [redacted]

Sent: Monday, August 21, 2017 5:47 PM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [redacted]

Hope you had a good holiday. I'm free on Thursday morning if that works for you?

[redacted]

From: [Clerk to the Committee]

Sent: 21 August 2017 15:49

To: [redacted]

Subject: FW: Children and Young People (Information Sharing) (Scotland) Bill

Hi [redacted]

I'm back from leave now and happy to meet, think it would be a good idea in advance of the 6th. I am free all day this Thursday if that is any good for you all? If you could come to Parliament that would be ideal but can come to you if there's a few of you,

Many thanks

[redacted]

From: [redacted]

Sent: Tuesday, August 15, 2017 12:22 PM

To: [Clerk to the Committee]

Subject: FW: Children and Young People (Information Sharing) (Scotland) Bill

Hi [redacted]

See below for replies from [redacted].

[redacted]

[redacted]

Committee Assistant

Education and Skills Committee

Telephone (Direct Dial): [redacted]

Room T3.40

The Scottish Parliament

Edinburgh

EH99 1SP

[redacted]

www.scottish.parliament.uk



From: [redacted]

Sent: 15 August 2017 12:04

To: [redacted]

Subject: RE: Children and Young People (Information Sharing) (Scotland) Bill

Thank you [redacted] I will pass this onto [Clerk to the Committee] who will be in contact probably next week she is back next Tuesday I will get her to give you a ring next week is there a convenient time for you.

Regards

[redacted]

[redacted]

Committee Assistant

Education and Skills Committee

[redacted] Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

[redacted]

www.scottish.parliament.uk



From: [redacted]

Sent: 15 August 2017 11:08

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [redacted]

With regard to the stage one deadline, we anticipate that this will be sometime in December but won't have a date until bureau make a decision. I'll let you know when we hear anything more.

Thanks

[redacted]

From: [redacted]

Sent: 15 August 2017 11:02

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Children and Young People (Information Sharing) (Scotland) Bill

Hi [redacted]

Sorry for the delay in responding, I'm just back from leave myself. Thanks for the further information about the session on the 6th.

With regard to the stage 1 deadline, I'll catch up with our legislation team and get back to you asap.

Thought it might be a good idea for us to catch up when [redacted] is back from leave and ahead of the session on the 6th just to make sure we are all on the same page. Can you suggest when might work? We would be happy to come up to the Parliament.

Thanks

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]

From: [redacted]

Sent: 10 August 2017 09:44

To: [redacted] [redacted]

Subject: Children and Young People (Information Sharing) (Scotland) Bill

Good morning [redacted]

Further to recent phone calls regarding the bill, **[Clerk to the Committee]** asked me to email regarding the briefing session. **[Clerk to the Committee]** said that you should expect to talk through what the bill does in detail; probably around ten minutes for an opening statement to talk through content, financial implications, impact on workload of named persons etc. This will be in public session starting at 10.

[Clerk to the Committee] also asked me to check with you for information on a confidential basis of the stage 1 deadline and she said that she would be very happy to talk to them in more detail when she is back after the 21st.

If you have any questions please do not hesitate to contact me

Regards

[redacted]

[redacted]

Committee Assistant

Education and Skills Committee

Telephone (Direct Dial): **[redacted]**

Room T3.40

The Scottish Parliament

Edinburgh

EH99 1SP

[redacted]

www.scottish.parliament.uk



Exchange 7

From: **[redacted]**

Sent: Tuesday, August 29, 2017 9:35 AM

To: [Clerk to the Committee]
Cc: [redacted]
Subject: submissions to Education and Skills committee

Hi [redacted]

Just checking you received the below submissions – we received them in Bill mailbox.

Regards

[redacted]



[redacted] Stakeholder Engagement and Policy Officer

Children and Young People (Information Sharing) (Scotland) Bill Team

Scottish Government | Children and Families Directorate | Creating Positive Futures Division

Victoria Quay | Area 1D South | Edinburgh | EH6 6QQ

[redacted] [redacted]

Exchange 8

From: [redacted]
Sent: Monday, September 04, 2017 12:38 PM
To: [Clerk to the Committee]
Cc: [redacted]
Subject: RE: Official Report - Parliamentary Business : Scotti...

thanks

From: [Clerk to the Committee]
Sent: 04 September 2017 12:38
To: [redacted]
Cc: [redacted]
Subject: Re: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

Off the top of my head we have had scottish womens aid as a late sub, social work scotland and the scottish association of social workers. But we know that there are another ten or so still to come in.

Thanks

[redacted]

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From: [redacted]

Sent: Monday, September 4, 2017 11:28:27 AM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Official Report - Parliamentary Business : Scotti...

Sorry a bit of a stream of consciousness from me this morning. Would it be possible to know which stakeholders evidence will be included in the update? Just be helpful in terms of our stakeholder meetings but no problem if not.

Thanks again

[redacted]

From: [Clerk to the Committee]

Sent: 04 September 2017 11:02

To: [redacted]

Cc: [redacted]

Subject: Re: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

It wont be published until after the meeting, to ensure everyone can refer to exactly the same information, we'll send you a late subs pack for the mtg on the 20th,

Thanks

[redacted]

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From: [redacted]

Sent: Monday, September 4, 2017 10:55:43 AM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

Do you know when the other evidence you are expecting will be available?

Thanks

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]

From: [Clerk to the Committee]

Sent: 04 September 2017 07:56

To: [redacted]

Cc: [redacted]

Subject: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

As mentioned when we met recently the committee heard from the cabinet secretary on named persons last year - watching this back or reading the o.r might be useful in terms of getting a sense on members' perspectives and also to see what is already on the record from the Government.

There are also bill team evidence sessions available on the parliament's webpage - the justice committee get lots of bills so you could choose one of their evidence sessions with bill teams from their webpage. Needless to say given the coverage over the weekend the finance issues in paper 4 are likely to come up too.

Im in the office all Tuesday if there are any practicalities you wish to discuss - if not [redacted] will meet you in the public foyer at 9.45 on wednesday,

Thanks

[redacted]

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10522>

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Exchange 9

From: [redacted]

Sent: Tuesday, September 05, 2017 3 :28 PM

To: [Clerk to the Committee]

Cc: [redacted] [redacted] [redacted] [redacted]

Subject: RE: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

Thanks. It will just be me and [redacted] tomorrow. I'm prepped to respond on the finance points!

[redacted] and [redacted] are coming along to listen and will sit in the public seating. Do you know if we need to get them a ticket or can they just come through with us?

[redacted] and I will be in the foyer at 9.45

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 05 September 2017 13:40

To: [redacted]

Cc: [redacted]

Subject: RE: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

Just a final check in to make sure there is nothing more I can provide from my side for tomorrow? And also if you did want to add any further witnesses, for example on how the FM was calculated etc then can you let us know their name today as we have to have all witnesses on a published agenda the day before the meeting takes place.

[redacted] will meet you in the public foyer at 9.45 and show you to CR6 with [redacted], please arrive at 9.30 as airport style security takes a while in committee days. I have spoken to the Convener in relation to ensuring your session is kept to factual information as opposed to political policy decisions and he knows you and colleagues will speak for about ten minutes on the bill section by section, financial implications, delegate powers etc

I'll be out of the office from 3 but on email so contact me if you need anything at all,

thanks

[redacted]

From: [redacted]

Sent: Monday, September 04, 2017 10:56 AM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

Do you know when the other evidence you are expecting will be available?

Thanks

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]

From: [Clerk to the Committee]

Sent: 04 September 2017 07:56

To: [redacted]

Cc: [redacted]

Subject: Official Report - Parliamentary Business : Scotti...

Hi [redacted]

As mentioned when we met recently the committee heard from the cabinet secretary on named persons last year - watching this back or reading the o.r might be useful in terms of getting a sense on members' perspectives and also to see what is already on the record from the Government.

There are also bill team evidence sessions available on the parliament's webpage - the justice committee get lots of bills so you could choose one of their evidence sessions with bill teams from their webpage. Needless to say given the coverage over the weekend the finance issues in paper 4 are likely to come up too.

Im in the office all Tuesday if there are any practicalities you wish to discuss - if not [redacted] will meet you in the public foyer at 9.45 on wednesday,

Thanks

[redacted]

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=10522>

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Exchange 10

From: [redacted]

Sent: Tuesday, September 12, 2017 5:48 PM

To: [Clerk to the Committee]

Subject: RE: Order of evidence

Great thanks for this. Can I also just check that there is no more evidence to be submitted as we weren't expecting the new evidence submission this week. I would also like to set up a short phone call with you every week or fortnight depending on what is happening just for a catch up and to clear any queries we may have. Would that be ok?

[redacted]

From: [Clerk to the Committee]

Sent: 12 September 2017 09:53

To: [redacted]

Subject: RE: Order of evidence

hello

yes that is still the case, no evidence on the bill tomorrow and that won't change,

thanks

[redacted]

From: [redacted]

Sent: Monday, September 11, 2017 1:45 PM

To: [Clerk to the Committee]

Subject: RE: Order of evidence

Thanks for that. I can see by looking at the agenda that there isn't a slot for the Information Sharing bill, is this still the case?

[redacted]

From: [Clerk to the Committee]

Sent: 11 September 2017 13:41

To: [redacted]

Subject: Re: Order of evidence

Hi [redacted]

Think it did go okay and happy to share order of evidence after Wednesday's mtg,

Thanks

[redacted]

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From: [redacted]
Sent: Monday, September 11, 2017 1:34:08 PM
To: [Clerk to the Committee]
Subject: Order of evidence

Hi [redacted],

Any chance of an update when we can expect the order for evidence? If there is anyone we need to speak to we would have to get on this asap. Also how did you think the session went last week in general. We have the view that it seemed to have went ok?

Cheers

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

[redacted]

Exchange 11

[NOTE – the order of evidence shared in confidence was then published shortly afterwards on the Committee’s webpage. The phone catch ups suggested did not take place.]

From: [redacted]
Sent: Wednesday, September 13, 2017 4:12 PM
To: [Clerk to the Committee]
Subject: RE: Order of evidence

Ok well lets set it up for Tuesdays say for 2pm? I am off on leave next Tuesday so I can call you Thursday at some point when I am back. Can you also just clarify for me what you are referring to below as a ‘subs pack’?

[redacted]

From: [Clerk to the Committee]
Sent: 13 September 2017 15:14
To: [redacted]
Subject: RE: Order of evidence

Hi [redacted]

Sorry I don’t work Mondays but Tuesdays suits me as do Thursdays,

thanks

[redacted]

From: [redacted]

Sent: Wednesday, September 13, 2017 2:03 PM

To: [Clerk to the Committee]

Subject: RE: Order of evidence

Hi [redacted]

Thank you so much for this, really helpful. Once you have confirmed the names it would be useful for us too. Is there any particular time (preferably not Fridays) that would suit you for the phone catch up? I think Mondays would be a good day if possible?

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 13 September 2017 13:35

To: [redacted]

Subject: RE: Order of evidence

Hi [redacted]

In confidence, here is the order of evidence - and very happy with the suggestion of a scheduled phone catch up,

I can't confirm the names of organisations yet as they are yet to confirm with us if they can attend,

thanks

[redacted]

20th september

panel 1 - faculty of advocates, law society

panel 2 - health boards and practitioners (we will send you the agenda and papers when they publish tomorrow as we are still finalising witnesses)

- another late subs pack (tbc - possibly the following week)

- spice analysis of survey results on illustrative code of practice

27th september

local authorities

4th october

panel 1 - teachers

panel 2 - information commissioner

25th october

panel on children subject to compulsory orders

panel of listed authorities

1st November

2 panels both with a mixture of childrens charities, parent representatives, religious organisations

8 November

Cabinet Secretary

- we will also arrange a focus group of health visitors, teachers etc on the illustrative Code of Practice - date to be confirmed
- the convener and clerks will also use the SYP event at the end of October to gauge the views of young people
- a number of members are also undertaking fact-finding visits informally in their own constituencies

From: [redacted]

Sent: Monday, September 11, 2017 1:34 PM

To: [Clerk to the Committee]

Subject: Order of evidence

Hi [redacted]

Any chance of an update when we can expect the order for evidence? If there is anyone we need to speak to we would have to get on this asap. Also how did you think the session went last week in general. We have the view that it seemed to have went ok?

Cheers

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

[redacted]

Exchange 12

From: [redacted]

Sent: Monday, September 25, 2017 11:51 AM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: letter to DFM

Hi [redacted]

I've left my BB at home. Can I give you a call please? What number should I get you on?

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 25 September 2017 10:51

To: [redacted]

Subject: Re: letter to DFM

Hi [redacted]

Think there has been a miscommunication- I have left a mobile message on [redacted] mobile - I am not working today but happy to pick up emails of any of the phone message is unclear,

Thanks

[redacted]

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From: [redacted]

Sent: Monday, September 25, 2017 10:08:39 AM

To: [Clerk to the Committee]

Subject: letter to DFM

Hi [redacted]

Are we expecting another letter from the Convenor today in regards to timings of the Bill? There seems to be the view from the legislation unit that this has happened today?

Thanks

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

[redacted]

Exchange 13

From: [redacted]

Sent: Tuesday, September 26, 2017 12:37 PM

To: [Clerk to the Committee]

Subject: FW: URGENT MEDIA QUERY - Social workers fear named person plans are 'toxic'

[redacted]

As discussed.

[redacted]

From: [redacted]

Sent: 26 September 2017 09:23

To: [redacted]

Subject: Social workers fear named person plans are 'toxic'



Social workers fear named person plans are 'toxic'

and Unionist Party press office

Tuesday, September 26, 2017

FAO: all newsdesks

Embargo: for immediate release

Social workers will tell MSPs tomorrow that revised plans to introduce a named person for every child in Scotland are “toxic” and should be scrapped.

The proposals have left social workers – many of whom will be expected to act as named persons – “confused and even worried about the action they should take”, the education

committee will hear.

And in its evidence, the Scottish Association of Social Workers will say its members fear being “regarded as agents of state surveillance or control, as opposed to a service to support and protect”.

Manager Trisha Hall will say: “Some of our members have strongly suggested this bill has become toxic and should simply be repealed.”

The evidence from the organisation is the latest hammer blow for the SNP over its controversial named person plans.

The Supreme Court last year ruled elements of the scheme unlawful, and new plans to address that are being consistently criticised by a range of experts.

Last week, the Law Society said practitioners of named person would need lawyers “on speed dial” in relation to confusion over information sharing.

Tomorrow, the SASW will add that, far from helping them, named person could make it more difficult to assist vulnerable young people.

The evidence will warn: “Our members are concerned that an increase in referrals may lead to a bottleneck in the system and subsequent overload, and this in-turn could result in child protection referrals not receiving the attention they should get.”

Scottish Conservative shadow education secretary Liz Smith said:

“These are the very people who would be tasked with implementing the named person plans, and the SNP should listen.

“The concerns set out here show just what a mess these proposals are.

“The SNP thinks it is protecting young people by imposing a named person on every child, when in fact it risks making things worse.

“Social workers are understandably concerned about their workload, their reputation and above all their ability to protect those who need help the most.

“That’s why the nationalists should swallow their pride and scrap named person proposals

altogether.”

Ends

Notes to editors:

To see the evidence from the Scottish Association of Social Workers, go to page 15 of the document here:

http://www.parliament.scot/S5_Education/Meeting%20Papers/20170927Meeting_papers.pdf

Last week at First Minister’s Questions, Scottish Conservative leader Ruth Davidson said the SNP should scrap named person and think again:

<http://www.scottishconservatives.com/2017/09/sturgeon-told-to-scrap-named-person-and-start-again/>

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Exchange 14

From: [redacted]

Sent: Monday, October 23, 2017 12:15 PM

To: [Clerk to the Committee]

Subject: RE: Correspondence with the Committee

Great. I’ll give you a ring on your mobile then

From: [Clerk to the Committee]

Sent: 23 October 2017 12:14

To: [redacted]

Subject: Re: Correspondence with the Committee

Hi [redacted]

No problem can you call anytime after 1?

Thanks

[redacted]

[redacted]

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From: [redacted]

Sent: Monday, October 23, 2017 12:11:56 PM

To: [Clerk to the Committee]

Subject: Correspondence with the Committee

Hi [redacted]

Gave your office a ring but they said you were working from home this morning. Would you have time for a quick chat. Just wanted to pick up a few things with you after the meeting with the convenor and deputy convenor a couple of weeks ago.

Thanks

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]



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Exchange 15

From: [Committee Assistant]
Sent: Thursday, October 26, 2017 8:23 AM
To: [Clerk to the Committee]
Subject: FW: evidence session update

[redacted]

I though you should see this!

[redacted]

[redacted]

Committee Assistant

Education and Skills Committee

[redacted]

Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

[redacted]

@SP_EduSkills

www.scottish.parliament.uk



From: [redacted]
Sent: 25 October 2017 16:03
To: [Committee assistant]
Subject: evidence session update

Hi [redacted],

Hope all is well and your cold has cleared up!

Is there further updates on who and what organisations are attending next week's evidence session at Committee? I would like to have this info ahead of papers as we are updating or FMQ briefs and planners.

Many Thanks

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures |
Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay
| Edinburgh | EH6 6QQ

[redacted]

Exchange 16

From: [Clerk to the Committee]

Sent: Thursday, October 26, 2017 12:38 PM

To: [redacted]

Cc: [redacted]

Subject: FW: evidence session update

Dear [redacted]

We cannot share the names of the witnesses with you. Committee Clerks share information in line with the terms of the Government/Committee protocol, we do not share information for the purpose you mention below. The names of witnesses will be in the public domain tomorrow when papers are issued to members and then published online. We will copy you in when we email out the public papers.

Thanks

[redacted]

Exchange 17

From: [Clerk to the Committee]

Sent: Friday, October 27, 2017 12:53 PM

To: [redacted]

Subject: RE: Children Focus Group

Hi [redacted]

Afraid not,

[redacted]

From: [redacted]
Sent: Friday, October 27, 2017 12:41 PM
To: [Clerk to the Committee]
Subject: RE: Children Focus Group

I suspect the answer will be no, but is there scope for an official to be there?

[redacted]

From: [Clerk to the Committee]
Sent: 27 October 2017 12:10
To: [redacted]
Subject: RE: Children Focus Group

Hi [redacted]

It is a focus group (possibly two) on the bill attended by the members and a large group of people who want to share their views on the bill in a format where they can be more relaxed / candid than formal evidence allows. There will be a write up of the discussions and this will issue as part of papers for the cabinet secretary's evidence session.

Regards

[redacted]

From: [redacted]
Sent: Friday, October 27, 2017 12:06 PM
To: [Clerk to the Committee]
Subject: Children Focus Group

Hi [redacted]

It is my understanding that the Committee are holding an event on Tuesday for the a Children's focus group. Can you provide any info on what the purpose and remit of this group is?

Regards

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures |
Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay
| Edinburgh | EH6 6QQ

[redacted]

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Exchange 18

From: [redacted]

Sent: Friday, October 27, 2017 12:11 PM

To: [Clerk to the Committee]

Subject: RE: Children Focus Group

Thank you [redacted], very helpful.

[redacted]

From: [Clerk to the Committee]

Sent: 27 October 2017 12:10

To: [redacted]

Subject: RE: Children Focus Group

Hi [redacted]

It is a focus group (possibly two) on the bill attended by the members and a large group of people who want to share their views on the bill in a format where they can be more relaxed / candid than formal evidence allows. There will be a write up of the discussions and this will issue as part of papers for the cabinet secretary's evidence session.

Regards

[redacted]

From: [redacted]

Sent: Friday, October 27, 2017 12:06 PM

To: [Clerk to the Committee]

Subject: Children Focus Group

Hi [redacted]

It is my understanding that the Committee are holding an event on Tuesday for the a Children's focus group. Can you provide any info on what the purpose and remit of this group is?

Regards

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

[redacted]

Exchange 19

From: [Head of Parliament and Legislation Unit]

Sent: Friday, October 27, 2017 11:24 AM

To: [Clerk to the Committee]

Subject: Re: cyp info sharing bill

I have a work shadow next week which is complicating my diary but Tues should be fine. Will follow up once I've sorted logistics.

[redacted]

Sent from my BlackBerry 10 smartphone.

From: [Clerk to the Committee]

Sent: Friday, 27 October 2017 11:19

To: [Head of Parliament and Legislation Unit]

Subject: cyp info sharing bill

Hi [redacted]

Hope all is well with you. I would appreciate a chat with you when you get a chance about the cyp (info sharing) bill - I am guessing you work from home on a Friday and I don't work Mondays. Is Tuesday any good for a chat over the phone? If you happen to be in Parliament we could maybe grab a coffee.

Kind regards

[redacted]

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Exchange 20

From: [Clerk to the Committee]

Sent: Tuesday, October 31, 2017 8:59 AM

To: [Head of Parliament and Legislation Unit]

Subject: RE: cyp info sharing bill

Hi [redacted]

Yes that suits me fine I'll see you in the Garden Lobby at half 3,

[redacted]

From: [Head of Parliament and Legislation Unit]

Sent: Tuesday, October 31, 2017 7:34 AM

To: [Clerk to the Committee]

Subject: RE: cyp info sharing bill

[redacted]

I'm down at the party at various points today and free between 15:30 and 16:30 if that suits?

[redacted]

[redacted] | Head of Parliament and Legislation Unit | Cabinet, Parliament and Governance | Scottish Government | T [redacted] | Room 4N.02, St Andrew's House, 1 Regent Road, Edinburgh EH1 3DG

From: [Clerk to the Committee]

Sent: 27 October 2017 11:19

To: [Head of Parliament and Legislation Unit]

Subject: cyp info sharing bill

Hi [redacted]

Hope all is well with you. I would appreciate a chat with you when you get a chance about the cyp (info sharing) bill - I am guessing you work from home on a Friday and I don't work Mondays. Is Tuesday any good for a chat over the phone? If you happen to be in Parliament we could maybe grab a coffee.

Kind regards

[redacted]

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Exchange 21

From: [redacted]

Sent: Thursday, November 02, 2017 3:00 PM

To: [Clerk to the Committee]

Cc: [redacted]

Subject: RE: Letter from the cabinet secretary

Hi [redacted]

Apologies for the delay in responding. The reason for the delay is we are still engaging with stakeholders which will inform the letter to committee. We will try and get it to the letter to you/committee sooner, if we can. Thank you for your understanding.

Thank you also for the heads up about the focus group write up, grateful if you could send the team a link when it is available.

Thanks

[redacted]

[redacted]

Stakeholder Engagement & Policy Officer

Children and Young People (Information Sharing) (Scotland) Bill

From: [Clerk to the Committee]

Sent: 02 November 2017 14:05

To: [redacted]

Cc: [redacted]

Subject: Letter from the cabinet secretary

Hi [redacted]

Just to say that I think the Spice themes / possible questions paper would be held back until tuesday if the government don't provide a submission until late monday as [redacted] suggested. spice plan to add in references to it throughout the themes paper.

I understand there will be entirely understandable reasons for the delay but if you could let me know a reason so I can tell members when i issue the first tranche of papers on friday.

Also, I meant to mention to [redacted] when he asked about the focus group that because the committee has a strong emphasis on inclusivity it is likely there will be a part of the evidence session dedicated to questions based on the focus group write up. This is the approach taken on teacher workforce planning. The write ups will be posted online and issued with papers tomorrow afternoon so definitely worth a read.

Thanks

[redacted]

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Exchange 22

From: [redacted]

Sent: Tuesday, November 07, 2017 10:09 AM

To: [Clerk to the Committee]

Subject: RE: Stage 1 report and debate

Thanks [redacted] helpful to know.

[redacted]

From: [Clerk to the Committee]

Sent: 06 November 2017 20:12

To: [redacted]

Subject: Re: Stage 1 report and debate

Hi [redacted]

I know from a government official that the debate is planned for 20 th dec assuming the committee can sign off the report in three meetings (no specific date planned for report publication but draft reports would be on 22nd, 29th nov and 6th dec)

Thanks

[redacted]

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From: [redacted]

Sent: Monday, November 6, 2017 2:43:48 PM

To: [Clerk to the Committee]

Subject: Stage 1 report and debate

Hi [redacted]

Would you be able to confirm the stage 1 report publication date and debate for me. I know there has been some tentative dates discussed.

Thanks

[redacted]

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures | Directorate for Children and Families | Scottish Government | Area 1D South | Victoria Quay | Edinburgh | EH6 6QQ

[redacted]

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Exchange 23

From: [redacted]

On Behalf Of DirectorforChildrenandFamilies

Sent: Wednesday, November 15, 2017 4:44 PM

To: [Clerk to the Committee]

Cc: [Special Adviser to the Deputy First Minister] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: RE: named persons - information sharing

Sensitivity: Confidential

[redacted] – thanks for this. We'll discuss here and get back to you.

Best

[redacted]

[redacted]

Director for Children and Families

Scottish Government

[redacted]

[redacted]



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From: [Clerk to the Committee]

Sent: 15 November 2017 16:32

To: Director for Children and Families

Cc: [Special Adviser to the Deputy First Minister] [redacted] [redacted]

[redacted] Director for Children and Families; DCAF Business Management Unit; [redacted]

Subject: RE: named persons - information sharing

Sensitivity: Confidential

Dear [redacted]

Many thanks for your full response below.

For what it's worth I do not think there is any intention from the Committee to prevent engagement with stakeholders / appoint a panel etc. But the Committee I think considers it would be possible to progress this code development work before Stage 1 ends (ie the committee would await the code before deciding on whether the bill - and therefore the code - should progress). Without seeing the code a number of members are very concerned about a) the workability of the policy and b) whether the supreme court judgement is satisfied.

If you do not consider the Government could commence this work before Stage 1 concludes I would be grateful if you could set out why procedurally/practically this is the case? I can check with all the other committee clerks / legislation team at the Parliament whether such engagement work on draft regulations/codes stemming from a bill has happened during Stage 1 before as I am not entirely sure why this is not a viable option. I just want to be assured I have fully explored this option with you given the strength of feeling amongst the Committee.

And also can I ask what the ballpark timescale would be for a draft code of practice to be produced in a form that could be laid before Parliament - ie if the bill passed and the Government then commenced engagement how long would it take for the panel to be appointed and involved, stakeholders to be engaged with, and a code drawn up in a sufficiently finalised form that it could be laid before Parliament in draft for comment? between 3 and 6 months? between 6 months and a year? A rough estimate at this stage would be really really helpful.

I am sorry to generate more work on your side of the fence but I anticipate that when I go back to the Committee and tell them the Government cannot provide a code at stage 1 to any timescale that these are the likely questions they will ask. So it would be good to have answers to these questions in advance.

If at all possible I would be grateful for a response by lunchtime on Friday. Alternatively we could meet or timetable a phone call to discuss. Ideally this would need to take place this week or next Tuesday before the Committee meets on Wednesday morning.

Many thanks

[redacted]

Clerk

Education and Skills Committee

From: [redacted]

On Behalf Of DirectorforChildrenandFamilies

Sent: Wednesday, November 15, 2017 4:04 PM

To: [Clerk to the Committee]

Cc: [Special Adviser to the Deputy First Minister] [redacted] [redacted] [redacted]
[redacted]DirectorforChildrenandFamilies@gov.scot; DCAFBMU@gov.scot; [redacted]

Subject: RE: named persons - information sharing

Sensitivity: Confidential

Dear [redacted]

Thanks for sharing this in confidence. [redacted] is on leave this week and I wanted to get back to you within the timeframe you set out as highlighted below.

I appreciate that the Committee is very focused on the illustrative draft Code of Practice and how this will be developed. It is however the case that, as the Deputy First Minister pointed out to the Committee on 8 November, the task at hand at this time is to consider the provisions of the Bill and not the Code of Practice.

That said, in terms of providing the Committee with a further Code of Practice at stage 1 of the Bill, I am not sure this is a practical option at this point. The Scottish Government has publically committed to giving stakeholders a substantial role in the development of the final Code of Practice, statutory guidance and supporting materials, to ensure they are workable and user friendly. An independently chaired panel will be established that will be informed by the experience of practitioners. Many stakeholder organisations have already committed to working collaboratively with the Scottish Government to develop the Code and statutory guidance. We would not intend to break this commitment.

Perhaps more significantly, the DFM has recognised the desire of some Committee members to have sight of the final code and has publically committed to Parliament that it will have the final vote on the Code before it is commenced, and has committed to bringing forward an appropriate amendment at stage 2 to ensure that is provided for in the Bill. These additional commitments to Parliament are over and above what was originally provided for in the Bill, though I appreciate the Committee already recognises this.

Happy to have a chat if that would help.

[redacted]

[redacted]

Director for Children and Families

Scottish Government

[redacted]

[redacted]



From: [Clerk to the Committee]
Sent: 09 November 2017 12:18
To: [redacted]
Cc: [redacted]
Subject: named persons - information sharing
Sensitivity: Confidential

Hi [redacted]

As discussed in confidence, the Committee did not progress sufficiently far in its discussions yesterday to set out what should be contained in its Stage 1 report. On that basis it is looking likely that it will miss the Stage 1 deadline. I will be able to give you a clearer indication as to whether the Committee needs to go back to the Bureau for an extension after the Committee's meeting on 22 November. When stage 1 can progress is in part dependant on the issue highlighted below and discussed yesterday.

A number of members are currently of the view that they are not in a position to consider supporting the bill if they do not see a version of the code that the Government considers could be used by practitioners. These members would wish to pause stage 1 scrutiny until they can scrutinise a code. As highlighted yesterday in Committee the absence of a code has, a number of members consider, notably impacted on the scrutiny of the bill. Members asked me to explore with the Government, in confidence at this stage, the earliest that such a code could be made available. **The Committee next meets on 22nd November but a response before papers issue for this meeting (ie by next Thursday/Friday at the latest) would be very much appreciated.**

Lastly, I'll send the short letter on commencement over later today / tomorrow morning but, based on our conversation, it sounds like that question is probably easily answered.

Kind regards

[redacted]

[redacted]

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Exchange 24

From: [Clerk to the Committee]

Sent: Thursday, November 23, 2017 12:33 PM

To: [redacted]

Subject: FW: named persons - information sharing

Sensitivity: Confidential

Sorry [redacted]

I have just realised that there is something I can usefully share at this stage - it looks likely that the Committee will not consider a stage 1 report now until into December at the earliest or in 2018. On that basis, as previously intimated, it will need to seek an extension to the Stage 1 deadline from the Parliamentary Bureau.

I don't know how much time they will need to ask for yet but will be in a better position to tell you after the meeting on 6th December. I'd be grateful if you could let the Constitution Unit and the private offices of the Minister for Parliamentary Business and of the Cabinet Secretary know?

Kind regards

[redacted]

From: [Clerk to the Committee]

Sent: Thursday, November 23, 2017 12:24 PM

To: [redacted]

Subject: RE: named persons - information sharing

Sensitivity: Confidential

Hi [redacted]

Hope you had some downtime away from all of this last week.

I'm afraid I shouldn't catch up with you for a coffee at this stage as the committee is now into its private deliberations on the bill so there is nothing at all I can share with you. Now that the Cabinet Secretary has given evidence to the Committee the Government doesn't really have any role bar responding to any further correspondence from the committee or to its stage 1 report.

Sorry I can't be more helpful,

[redacted]

From: [redacted]
Sent: Wednesday, November 22, 2017 6:25 PM
To: [Clerk to the Committee] [redacted]>
Subject: RE: named persons - information sharing
Sensitivity: Confidential

Hi [redacted]

Sorry that I was not around to respond last week. Thought it might still be helpful for us to catch up soon? I finally have my parly pass so could come meet you for a coffee/ lunch one day soon?

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]

From: [Clerk to the Committee]
Sent: 14 November 2017 16:07
To: [redacted]
Cc: [redacted]
Subject: RE: named persons - information sharing
Sensitivity: Confidential

Hi [redacted]

I am wondering whether a meeting on the issues I raised below would be worthwhile so I can set out the extent / nature of the Committee's concerns?

If that is not possible this week (papers issue Friday), just to reiterate I would appreciate an answer at official level in confidence to my email below as opposed to anything being factored into the response from the Cabinet Secretary on commencement etc.

thanks

[redacted]

From: [Clerk to the Committee]
Sent: Thursday, November 09, 2017 12:18 PM
To: [redacted]
Cc: [redacted]

Subject: named persons - information sharing

Sensitivity: Confidential

Hi [redacted]

As discussed in confidence, the Committee did not progress sufficiently far in its discussions yesterday to set out what should be contained in its Stage 1 report. On that basis it is looking likely that it will miss the Stage 1 deadline. I will be able to give you a clearer indication as to whether the Committee needs to go back to the Bureau for an extension after the Committee's meeting on 22 November. When stage 1 can progress is in part dependant on the issue highlighted below and discussed yesterday.

A number of members are currently of the view that they are not in a position to consider supporting the bill if they do not see a version of the code that the Government considers could be used by practitioners. These members would wish to pause stage 1 scrutiny until they can scrutinise a code. As highlighted yesterday in Committee the absence of a code has, a number of members consider, notably impacted on the scrutiny of the bill. Members asked me to explore with the Government, in confidence at this stage, the earliest that such a code could be made available. The Committee next meets on 22nd November but a response before papers issue for this meeting (ie by next Thursday/Friday at the latest) would be very much appreciated.

Lastly, I'll send the short letter on commencement over later today / tomorrow morning but, based on our conversation, it sounds like that question is probably easily answered.

Kind regards

[redacted]

[redacted]

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Exchange 25

From: [Clerk to the Committee]

Sent: Wednesday, November 15, 2017 1:55 PM

To: [redacted]

Cc: [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]

Subject: RE: code(s) of practice

Thanks [redacted], that is really helpful clarification, [redacted]

From: [redacted]
Sent: Wednesday, November 15, 2017 1:53 PM
To: [Clerk to the Committee]
Cc: [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] [redacted]
Subject: FW: code(s) of practice

Hi [redacted]

Thank for your email.

In response to the members query, I provide the following clarification:

Parts 4 and 5 of the Children and Young People Act 2014 could in theory work independently of one another. They have been designed so that they work together to make appropriate and proportionate universal and targeted support available seamlessly as and when families may want or need this. A key component of this interrelationship is information sharing, hence the intent would be to produce **one Code of Practice** that addressed information sharing in Parts 4 and 5 of the 2014 Act, similarly the Statutory Guidance for Parts 4 and 5 would be combined so one Code of Practice would apply to both sections.

This approach we believe would make most sense in explaining the law to practitioners and the public who will often be experiencing information sharing as support moves between that available through the Named Person service provider and processes in relation to a Child's Plan.

Regards

[redacted]

From: [Clerk to the Committee]
Sent: 15 November 2017 09:55
To: [redacted]
Subject: code(s) of practice

Hi [redacted]

One of the members is asking whether the codes of practice under the different sections on the bill will be identical, or at least very similar. Is this documented anywhere in the public domain that the codes will be very similar - in the bill documents or elsewhere? Is there a chance there will be one code to apply to both sections?

I need the answer to feature in committee papers, in a private paper, so any answer today / tomorrow would be very much appreciated,

thanks

[redacted]

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Exchange 26

From: [Clerk to the Committee]

Sent: Wednesday, December 06, 2017 1:59 PM

To: [redacted] [redacted]

Cc: [redacted] [redacted] [redacted]

Subject: FW: Children and Young People (Information Sharing) (Scotland) Bill

Importance: High



Dear all

attached are the minutes from the committee meeting which have just gone online - I wanted to highlight them to you as you may wish to alert your media office. I am happy to discuss what happens next - feel free to give me a call anytime after 3pm today.

Thanks

[redacted]

Exchange 27

From: [redacted]

Sent: Friday, January 12, 2018 3:24 PM

To: [Clerk to the Committee]

Subject: Information Sharing Bill - FOIs

Hi [redacted]

Apologies if [redacted] has already sent these to you! But please find attached either our PDF versions or the link to the published version of FOI's that the Information Sharing Bill Team have received and completed.

- FOI/17/02031- Cannot find that on the website but I'll attach our copy.

- FOI/17/02787 – <https://beta.gov.scot/publications/foi-17-02787/>
- FOI/18/02966/02967/02968 – <https://beta.gov.scot/publications/foi-18-02966/>

Thanks,

[redacted]

Administrative Officer,

Children & Young People (Information Sharing) (Scotland) Bill Team | Creating Positive Futures
| Directorate for Children and Families | Scottish Government | Area 2B South | Victoria Quay |
Edinburgh | EH6 6QQ



Exchange 28

From: [redacted]

Sent: Friday, January 12, 2018 10:26 AM

To: [Clerk to the Committee] [redacted] [redacted]

Cc: [redacted] [redacted]

Subject: RE: Times article

Hi [redacted]

The FOI has been published on our website and can be found at - <https://beta.gov.scot/publications/foi-18-02966/>

Thanks again,

[redacted]

Administrative Officer,

Children & Young People (Information Sharing) (Scotland) Bill Team | Creating Positive Futures
| Directorate for Children and Families | Scottish Government | Area 2B South | Victoria Quay |
Edinburgh | EH6 6QQ



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From: [Clerk to the Committee]
Sent: 12 January 2018 08:08
To: [redacted] [redacted]
Cc: [redacted] [redacted] [redacted]
Subject: Re: Times article

Thanks [redacted], much appreciated, [redacted]

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From: [redacted]
Sent: Friday, January 12, 2018 7:57:32 AM
To: [Clerk to the Committee] [redacted]
Cc: [redacted] [redacted] [redacted]
Subject: RE: Times article

Hi [redacted]

Thanks for letting us know, we will look into this. We will get the FOI to you asap!

Thanks

[redacted]

[redacted]

Stakeholder Engagement & Policy Officer

Children and Young People (Information Sharing) (Scotland) Bill

From: [Clerk to the Committee]
Sent: 12 January 2018 07:52
To: [redacted]
Cc: [redacted] [redacted] [redacted]
Subject: Times article

Hi [redacted]

I am sure you are aware but there is an article in the times today about emails to witnesses, can you please send me a link to the relevant FOI release as soon as you get the chance?

Thanks

[redacted]

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Exchange 29

From: [Clerk to the Committee]

Sent: Tuesday, January 16, 2018 11:45 AM

To: [redacted]

Subject: phone call

Hi [redacted]

I am at my desk for the rest of the day, think [redacted] said you called for a chat yesterday,

thanks

[redacted]

Exchange 30

From: [Clerk to the Committee]

Sent: Wednesday, February 07, 2018 3:02 PM

To: [redacted]

Subject: RE: FOI release 19 January

thanks [redacted]

much appreciated

[redacted]

From: [redacted]

Sent: Wednesday, February 07, 2018 3:01 PM

To: [Clerk to the Committee]

Subject: RE: FOI release 19 January

[redacted]

I understand where you are coming from. There is no date set for responses to be published as the FOI unit is responsible for this. Once these are in the public domain I will let you know.

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 07 February 2018 14:46

To: [redacted]

Subject: RE: FOI release 19 January

Thanks [redacted]

Basically, as previously discussed, anything that would be useful under the 'general liaison' terms of the protocol between clerking and the government is always useful to share. Also, given the committee's ongoing interest in this area I want to guard against any impression that they are not being given all the relevant information by the government. The committee considered the three FOIs today alongside the response from the Cab Sec and has agreed to write to the Cabinet Secretary again, I am not sure when the letter will issue but will keep you posted.

Can I ask when the other FOIs will be released and are the requests themselves in the public domain pending the responses? If so, grateful if I could get sight of them,

many thanks

[redacted]

From: [redacted]

Sent: Wednesday, February 07, 2018 10:41 AM

To: [Clerk to the Committee]

Subject: RE: FOI release 19 January

Hi [redacted],

Apologies for this. I was unaware that we needed to inform you of any FOI requests in regards to the Information Sharing Bill as they are not published until a response is issued. If you wish to be informed of any future FOI requests then you should be aware that we currently have 4 pending requests , 1 from an individual and 3 from a Scottish Conservative Party MSP Parliamentary assistant. I will forward these responses on to once issued.

Regards

[redacted]

From: [Clerk to the Committee]

Sent: 06 February 2018 21:49

To: [redacted]

Subject: FOI release 19 January

Hi [redacted]

I have just seen a more recent FOI than the one the committee has raised concerns about - it is dated 19 January 2018. I must say it would have been helpful to have been informed of this before reading about it in the media. I am now going to have to circulate this to members as a late addendum first thing tomorrow. Are there any other FOIs the committee should be aware of before it deliberates on this matter in the morning?

Thanks

[redacted]

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Exchange 31

From: [Clerk to the Committee]

Sent: Wednesday, February 21, 2018 4:35 PM

To: [redacted]

Subject: Re: FOI/18/00218 - Response

Thanks [redacted]

[redacted]

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From: [redacted]

Sent: Wednesday, February 21, 2018 4:01:18 PM

To: [Clerk to the Committee]

Subject: FW: FOI/18/00218 - Response

Hi [redacted]

Please see FOI response that issued this afternoon for your awareness.

Many Thanks

[redacted]

From: [redacted]

Sent: 21 February 2018 15:49

To: [redacted]

Subject: FOI/18/00218 - Response

Dear [redacted]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 22nd February 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request –

“Please provide copies, or the information contained therein, of all correspondence to and from the office of the Cabinet Secretary for Education, and the Cabinet Secretary himself relating to The Getting it Right for Every Child (GIRFEC) Practice Development Panel.”

Please also provide copies, or the information contained therein, of any minutes/notes/summaries of meetings of The Getting it Right for Every Child (GIRFEC) Practice Development Panel.”

Your response –

Apologies again for the lateness of this response,

[redacted]

Communications and Administrative Officer

Children & Young People (Information Sharing) (Scotland) Bill Team | Getting It Right For Every Child | Directorate for Children and Families | Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

Exchange 32

From: [redacted]

Sent: Wednesday, February 21, 2018 4:18 PM

To: [redacted]

Subject: RE: FOI

Hi [redacted]

I have just forwarded an FOI response that issued this afternoon to [Clerk to the Committee] but there have been no others.

Thanks

[redacted]

From: [redacted]

Sent: 20 February 2018 15:03

To: [redacted]

Subject: FOI

Good Afternoon [redacted]

[Clerk to the Committee] has asked to inquire whether any further FOI's have been released since the 7th of January in respect of the evidence gathering and the witnesses for the Children and Young Person information Sharing Bill.

Regards

[redacted]

Committee Assistant

Education and Skills Committee

[redacted]

Room T3.40
The Scottish Parliament
Edinburgh
EH99 1SP

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Exchange 33

From: [redacted]

Sent: Friday, February 23, 2018 12:24 PM

To: [Clerk to the Committee]

Subject: RE: Meeting with Chair of the Practice Development Panel

[redacted],

Members who have accepted:

Mary Fee

Tavish Scott

Ross Greer

Oliver Mundell

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 23 February 2018 12:07

To: [redacted]

Subject: RE: Meeting with Chair of the Practice Development Panel

Hi [redacted]

That is very helpful and the issues I raise do not really apply if these are one to one meetings, would it be possible, in confidence if you could let me know who has agreed and I can approach the others?

Thanks

[redacted]

From: [redacted]

Sent: Friday, February 23, 2018 12:05 PM

To: [Clerk to the Committee]

Subject: RE: Meeting with Chair of the Practice Development Panel

Hi [redacted],

The Chair would like to have individual meetings with Committee members where possible. Some Committee members have already responded and accepted to meet with the Chair and have provided dates and times. The minutes of the first Panel meeting have been published which the Chair has stated within that he would like to meeting with representatives of political parties.

<https://beta.gov.scot/groups/girfec-practice-development-panel/>

I would anticipate any discussion points from such meetings could be published if need be. The purpose of the meetings is for the Chair himself to speak with members about their views on the Code of Practice but not necessarily what they want to see in the Code.

I am happy to go back to the Chair with the sensitive issues you have set out below.

Thanks

[redacted]

From: [Clerk to the Committee]

Sent: 23 February 2018 11:31

To: [redacted]

Subject: FW: Meeting with Chair of the Practice Development Panel

Hi [redacted]

As discussed yesterday, can you give me an idea as to what the status of the meeting would be?

Would Ian Welsh be prepared to give public evidence to the Committee? It could be a useful session to inform the members on the work and engagement planned by the panel to ensure the code is thoroughly consulted on? Alternatively this could be set out in a letter to the committee?

There is a slight sensitivity to having an informal briefing on this issue I think, as that form of work is not as open and accessible as public session and this committee certainly prefers public session wherever possible. In addition, I think members might be hesitant to set out what they want in a code because a) they had different views b) the evidence taking may have faded a little in the memory by now and c) they may want to maintain independence from the process since they will be scrutinising the end result. That last sentence is just my take - no member has suggested this to me in response to your email.

Or does Ian Welsh want to meet members on an individual basis? I think your email perhaps gives the impression Ian wants to meet them all as a collective?

Lastly, and sorry if this does not need saying, but there is a wealth of evidence in the submissions as to what the code could usefully include (written submissions, official reports, focus group notes etc) and in the o.r's there is a decent steer from a good number of members (ie what questions they ask as to what they usefully think could feature in the code.

Grateful for your thoughts on this,

thanks

[redacted]

From: Education and Skills

Sent: Thursday, February 22, 2018 3:40 PM

To: DL MSPs Education And Skills Committee [redacted]

Cc: [redacted]

Subject: FW: Meeting with Chair of the Practice Development Panel

Dear Members

Please note that [redacted] has been in contact with me about the email he sent to you all and so there is no need to respond as individuals. I will discuss with the Convener and explore what the proposed status of this meeting would be with the Secretariat and get back to you,

Thanks

[Clerk to the Committee]

[redacted]

From: [redacted]

Sent: Thursday, February 22, 2018 3:35 PM

To: [Clerk to the Committee]

Subject: FW: Meeting with Chair of the Practice Development Panel

Hi [redacted]

As discussed.

Thanks

[redacted]

Good Morning,

As you will be aware, the Getting It Right For Every Child Practice Development Panel has been established and is independently chaired by Ian Welsh, CEO of the Health and Social Alliance Scotland. The Chair has expressed his interest in meeting with members of the Education and Skills Committee to discuss and seek their views around the draft Code of Practice submitted to the Parliament in June 2017.

This meeting would last between 30-60 minutes, permitting diary availability. I would be grateful if you could inform your Minister of this proposal for their consideration and provide some optional dates and times over the next 2 weeks (if possible) so the necessary arrangements can be made.

Kind Regards

[redacted]

Secretariat

Getting It Right For Every Child Practice Development Panel

[redacted]

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Exchange 34

From: [Clerk to the Committee]

Sent: Tuesday, February 27, 2018 1:02 PM

To: [redacted]

Subject: FW: FOI/18/00218 - Response

Hi [redacted]

I forgot to mention on the phone a question in relation to FOI procedures - just wanted to confirm that you would always need to inform me or any other Parliament official in advance if you needed to release emails to or from Parliament officials,

Many thanks

[redacted]

From: [Clerk to the Committee]

Sent: Wednesday, February 21, 2018 4:35 PM

To: [redacted]

Subject: Re: FOI/18/00218 - Response

Thanks [redacted]

[redacted]

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From: [redacted]

Sent: Wednesday, February 21, 2018 4:01:18 PM

To: [Clerk to the Committee]

Subject: FW: FOI/18/00218 - Response

Hi [redacted]

Please see FOI response that issued this afternoon for your awareness.

Many Thanks

[redacted]

From: [redacted]

Sent: 21 February 2018 15:49

To: [redacted]

Subject: FOI/18/00218 - Response

Dear [redacted]

REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)

Thank you for your request dated 22nd February 2018 under the Freedom of Information (Scotland) Act 2002 (FOISA).

Your request –

“Please provide copies, or the information contained therein, of all correspondence to and from the office of the Cabinet Secretary for Education, and the Cabinet Secretary himself relating to The Getting it Right for Every Child (GIRFEC) Practice Development Panel.”

Please also provide copies, or the information contained therein, of any minutes/notes/summaries of meetings of The Getting it Right for Every Child (GIRFEC) Practice Development Panel.”

Your response –

Apologies again for the lateness of this response,

[redacted]

Communications and Administrative Officer

Children & Young People (Information Sharing) (Scotland) Bill Team | Getting It Right For Every Child | Directorate for Children and Families | Scottish Government | Area 2B South | Victoria Quay | Edinburgh | EH6 6QQ

Exchange 35

From: [Head of Parliament and Legislation Unit]

Sent: Thursday, March 01, 2018 10:16 AM

To: [Clerk to the Committee]

Subject: RE: Cancelled mtg

Hi [redacted]. I'm stuck in [redacted]! I'm keeping an eye out for any internal correspondence as discussed, and will update you once I've seen something (which I haven't, yet).

[redacted]

[redacted] | Head of Parliament and Legislation Unit | Cabinet, Parliament and Governance | Scottish Government | [redacted] | Room 4N.02, St Andrew's House, 1 Regent Road, Edinburgh EH1 3DG

From: [Clerk to the Committee]

Sent: 01 March 2018 10:11

To: [Head of Parliament and Legislation Unit]

Subject: Cancelled mtg

Hi [redacted]

I am snowed in out in [redacted] otherwise I would have met up in [redacted]'s place today.

I am guessing you may be home / immersed in the emergency bill amongst many other things but i'd appreciate an update on what we discussed on Tuesday at some stage today/tomorrow,

I'm on [redacted],

Kind regards

[redacted]

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Exchange 36

From: [Clerk Team Leader]

Sent: Tuesday, February 27, 2018 10:01 AM

To: [Head of Parliament and Legislation Unit]

Subject: Chat

Hi [redacted]

Could I trouble you to ask for a wee chat when you are next passing through - coffee/tea on me. There's no immediate rush, but it would be good for a quick chat around bill handling.

[redacted]

Clerk Team Leader

Education and Skills; Local Government and Communities; Culture, Tourism, Europe and External Relations committees

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[NOTE the meeting that was arranged had to be cancelled due to the red alert weather conditions in March]

Exchange 37

From: [Clerk to the Committee]

Sent: Wednesday, March 14, 2018 1:19 PM

To: [redacted]

Subject: e and s committee letter

Hi [redacted]

Hope all is well with you,

I just wanted to seek a steer as to when we might receive a letter from the Cabinet Secretary in response to the Committee's most recent letter? feel free to call to discuss,

Many thanks

[redacted]

[redacted]

Exchange 38

From: [redacted]

Sent: Thursday, March 15, 2018 3:57 PM

To: [Clerk to the Committee]

Subject: For awareness FOI response

Hi [redacted],

For awareness:

The following FOI was published today: <https://beta.gov.scot/publications/foi-18-00444/>

Kind Regards

[redacted]

Deputy Bill Team Leader

Children & Young People Information Sharing Bill Team | Creating Positive Futures |
Directorate for Children and Families | Scottish Government | Area 2B South | Victoria Quay
| Edinburgh | EH6 6QQ

[redacted]

Exchange 39

From: [Head of Parliament and Legislation Unit]

Sent: Monday, March 19, 2018 12:25 PM

To: [Head of Committees and Outreach]

Subject: RE: Chat

Hi. It wasn't originally but agree we should. I'm in parliament late tomorrow afternoon (from 17:15-18:15), and for S3 of the SCB on Wednesday. Happy to catch up in the margins of that if suitable. I'm off up north on Thursday so won't be around again until next Tuesday.

[redacted]

[redacted] | Head of Parliament and Legislation Unit | Cabinet, Parliament and Governance | Scottish Government | [redacted] [redacted] | Room 4N.02, St Andrew's House, 1 Regent Road, Edinburgh EH1 3DG

From: [Head of Committees and Outreach]

Sent: 16 March 2018 09:58

To: [Head of Parliament and Legislation Unit]

Subject: Chat

Hi [redacted] – no doubt we'll get that chat at some point. I don't know whether any of the things you wanted to talk about included the ongoing spat between the Education committee and the Government but it would be useful to talk to you about how we go forward from this in relation to information sharing etc.

Cheers

[redacted]

[redacted]

Head of Committees and Outreach

[redacted]

*

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Exchange 40

[NOTE: The tables referred to in the emails below are the original Annexe C issued with the [Cabinet Secretary's letter dated 15 March](#). The [revised table issued on 20 March](#) and [further revision to the details on the 4th October and 25th October Committee meeting, issued on 27th March](#)]

From: [Clerk to the Committee]

Sent: Friday, April 06, 2018 3:32 PM

To: [Head of Better Life Chances Unit]

Cc: [redacted] [redacted]

Subject: RE: 25th October

Dear [redacted]

Thanks for the updated table and associated further detail and sorry it has taken me a little while to reply.

As you'll know from the letter issued to [redacted] the day after the Committee meeting, things have moved on a little as the Committee has agreed to write, at an official to official level, seeking clarification on the accuracy of a number of pieces of information that the Cabinet Secretary's letter is based upon.

There is some crossover between the info you have provided in the table you sent last week and some of the information requested in the letter to [redacted] - so some of the clarifications requested in that letter may be relatively easily answered.

As you will have seen from the letter to [redacted] I was on my way overseas on 6th October and so a conversation with the Committee Clerk did not take place on that day. So I think there may need to be a further correction to the table, or perhaps a little further clarification offered in the response letter.

One of my colleagues is taking this forward and I understand he has been in touch with [redacted] direct.

Have a good weekend,

[redacted]

From: [Head of Better Life Chances Unit]

Sent: Tuesday, March 27, 2018 9:28 AM

To: [Clerk to the Committee]

Cc: [redacted] [redacted]

Subject: RE: 25th October

Dear [redacted]

I hope this finds you well and that everything went smoothly last Wednesday. You asked for the following additional information about the evidence sessions on the 4 October and 25 October:

- Were the names of the organisations and the name of individuals provided by Clerks to SG officials?
- Which Clerk provided this information?
- How was this information provided?

I have extracted the information from Annex C for both sessions in question and added the relevant headings. After further consultation with my team, I have updated the source of information for the National Day Nurseries Association (appearing on 4 October) as being provided by Committee Papers. This is because a team member no longer feels absolutely confident in their memory that this information was provided over the phone. The attachment now contains the full record and recollection that we have.

In summary, we believe that for both sessions the advance information was provided by Clerks over the phone. For the 4 October session, our recollection and records indicate that the Assistant Committee Clerk provided information on both organisation and the individual stakeholders appearing before Committee. For 25 October session, our recollection and records indicate that the Committee Clerk provided the names of the organisation only.

I hope this is of assistance, and as you say- enjoy Easter recess when it comes

[redacted]

From: [Head of Better Life Chances Unit]

Sent: 21 March 2018 10:39

To: [Clerk to the Committee]

Cc: [redacted] [redacted]

Subject: RE: 25th October

Thank you for letting us know, [Clerk to the Committee].

Apologies for not making your deadline,

[redacted]

From: [Clerk to the Committee]

Sent: 21 March 2018 10:36

To: [Head of Better Life Chances Unit]

Cc: [redacted] [redacted]

Subject: RE: 25th October

Hello

Just to confirm the table has now been issued to members,

thanks

[redacted]

From: [Clerk to the Committee]
Sent: Wednesday, March 21, 2018 9:49 AM
To: [Head of Better Life Chances Unit]
Cc: [redacted] [redacted]
Subject: RE: 25th October

Dear all

The Committee meeting has now started - can you confirm whether you will be in a position to confirm any of the details requested below in say the next hour? If the answer is no I will circulate the revised table you sent to me yesterday at this stage.

Kind regards

[redacted]

From: [Clerk to the Committee]
Sent: Tuesday, March 20, 2018 2:12 PM
To: [Head of Better Life Chances Unit]
Cc: [redacted] [redacted]
Subject: RE: 25th October

Many thanks,

I thought that may well be the answer but I wanted to double check. I did not want any queries to generate a further letter from the committee and if I can correct that with them tomorrow then it can be closed off.

As I say, since I have been specifically asked, if you can let me know the witness / organisation name clarification that would be really helpful. It reads as if it is witness names 'stakeholders appearing before the committee' so I would appreciate that clarification. And if the details you received on 6th October were from us then I will need to know if it was witness names / organisations as I will most likely be asked the same about that date too. If you cannot recall then that is understandable to say that too. Also I assume it was a phone call on 6th? [redacted] confirmed the September discussion was on the phone and I assume 6th October was on the phone too, but let me know. I deleted a large number of emails on this issue and so has my team a long time ago so, from a quick search my email exchanges on that day I / we don't have anything with the Government at all including on the bill.

[redacted]

I am happy to take responsibility for answering questions on my emails / and mine and my team's actions tomorrow (if indeed that is the focus of the discussion at all).

Roll on Easter Recess,

[redacted]

From: [Head of Better Life Chances Unit]

Sent: Tuesday, March 20, 2018 1:42 PM

To: [Clerk to the Committee]

Cc: [redacted] [redacted]

Subject: FW: 25th October

Importance: High

Hi [redacted]

Thank you for your enquiry on Sunday. You asked about entries about how SG officials became aware what stakeholders were going to provide evidence to the Education and Skills Committee on 25th October. In Annex C, we had listed the source as being "Committee Papers" on 6th October, however the entries should have read "Committee Clerks" for all (except for SPS who informed us on the 21 Sept, the relevant information about this was already in the Annex).

I have attached an updated version of Annex C, with the amendments highlighted for ease of reference.

Kind regards

[redacted]

From: [Head of Better Life Chances Unit]

Sent: 20 March 2018 09:40

To: [Clerk to the Committee] [redacted]

Cc: [redacted]

Subject: RE: 25th October

Hi [redacted], I'll do my best to work to that.

I'll keep you updated,

[redacted]

From: [Clerk to the Committee]

Sent: 20 March 2018 09:34

To: [Head of Better Life Chances Unit] [redacted]

Cc: [redacted]

Subject: RE: 25th October

Thanks [redacted]

If you have those details I would really appreciate those answers before the Committee discusses the letter (I am guessing 11 am tomorrow is the very earliest it will be discussed in committee) in case I am asked for clarification.

Kind regards

[redacted]

From: [Head of Better Life Chances Unit]
Sent: Tuesday, March 20, 2018 9:29 AM
To: [Clerk to the Committee] [redacted]
Cc: [redacted]
Subject: RE: 25th October

Hi [redacted]

I hope this finds you well. I'll look into this and will get back to you on these two points as soon as I can.

Kind regards

[redacted]

From: [Clerk to the Committee]
Sent: 19 March 2018 18:34
To: [redacted]
Cc: [redacted] [redacted]
Subject: Re: 25th October

Hi there

Sorry but I have been asked whether the 'stakeholders' in the table in annexe c (where you mention that committee clerks gave you the details) you were provided with actual witness names or the names of the organisations?

When you are issuing some sort of an addendum from officials to clarify the 'committee papers' point for the 25th October meeting can you clarify if you mean witness names for the 4th October meeting?

Thanks

[redacted]

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From: [Clerk to the Committee]
Sent: Sunday, March 18, 2018 7:07:29 PM
To: [redacted]
Cc: [redacted]
Subject: 25th October

Hi [redacted]

I have been through the FOI now in full, I can only imagine how much work went into it. I need to be in a position to answer members questions on wednesday in private about what I shared with you and there is one thing I can't work out - what are the committee papers on 6th october that you refer to for the 25th october meeting? If it is in an email I don't have it and I am assuming it was not a phone conversation as it would say 'committee clerks'. Really grateful if you could let me know tomorrow. I am busy just now arranging a visit for the committee and so want to get on with that. ie I want to close off my reading for wednesday with whatever the 'committee papers' are. Hopefully easily answered. And needless to say if there are any more FOIs due to publish before it, [redacted] mentioned three from a conservative msp I think or maybe an assistant, then please let me know tomorrow as a courtesy and I will highlight the responses to members to further inform their discussion.

I am working from home tomorrow so just reply by email as opposed to calling,

Kind regards

[redacted]

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Exchange 41

From: [Clerk Team Leader]

Sent: Tuesday, April 17, 2018 4:13 PM

To: [Head of Better Life Chances Unit]

Cc: [redacted] [redacted]

Subject: RE: Follow up at official-to-official level

Dear [redacted]

Thank you again for your response. I will brief the Committee on this matter as part of a private discussion at the Committee's meeting on 25 April.

Before I do so, can I follow-up on one point. This relates to the original query about discussions with stakeholders. It would be helpful if you could confirm whether anyone who met Aberlour and Barnardos on 26 October can recall discussing the attendance at Committee of No2NP. My original email to you was perhaps unclear in the question but the clerk recalls being informed by a stakeholder about the discussion and she also recalls raising with the Government the general need to ensure any discussions on the practicalities of evidence sessions are best undertaken by the Parliament not the Government. I

appreciate that this discussion was part of ongoing constructive discussions between the Government and clerks that you refer to in your response.

[NOTE this matter was the purpose of a meeting requested by the Clerk with the Head of the Parliament and Legislation Unit. This meeting took place on Tuesday 31 October (see email exchanges 19 and 20 above)]

Finally, since the order of evidence emails have been highlighted by the Cabinet Secretary and Government officials, it is important that we note that we hold 4 emails as part of the exchange that were sent between the clerk and Deputy Bill Team Leader over a period two days. Therefore, in the response you have provided to me, it's important to note that clerk's email response (of 13 September) you refer to was not a direct response to the email sent by the Deputy Bill Team Leader (of 11 September), but was at the end of a chain of subsequent emails between the two.

If you able to reply to me before the Committee meets on 25 April, that would be very helpful.

Regards,

[redacted]

Clerk Team Leader

Education and Skills; Local Government and Communities; Culture, Tourism, Europe and External Relations committees

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From: [Head of Better Life Chances Unit]

Sent: 12 April 2018 16:40

To: [Clerk Team Leader]

Cc: [redacted] [redacted]

Subject: RE: Follow up at official-to-official level

Hi [redacted]

Apologies- it has been pointed out to me that I referred to myself in the section about a request from the Bill team on the 26th of October, but that should have been in reference to [redacted].

Many thanks

[redacted]

From: [Head of Better Life Chances Unit]

Sent: 11 April 2018 15:27

To: [Clerk Team Leader]

Cc: [redacted] [redacted]

Subject: RE: Follow up at official-to-official level

[redacted]

Thank you for your email of 22 March. Since you sent this we have also received the email attached from the Committee Clerk so this response deals with both emails. Happy to speak if that would be helpful.

With regard to your questions about the Forward Look and the terms of the Protocol between the Committees and the Scottish Government, this would be a matter for discussion between yourselves and the Parliament and Legislation Unit. I understand you have regular discussions with [redacted] and that he would be happy to speak to you about any questions you have about this.

I can confirm, however, that the Bill Team has not utilised the Forward Look during the passage of the Bill to date.

The Bill team and Clerk to the Education and Skills Committee and her team have engaged proactively with each other throughout the course of the Bill's passage. With both teams being aware of the Protocol, we have had discussions about the respective roles of the teams as you would expect.

You ask about the 6th of October. The Deputy Bill Team leader recalls receiving this information in a phone call from Committee Clerk. He was in the habit of calling Clerks on a Friday which in this case was the 6th of October. We have email records from 10th of October where the Deputy Bill Team Leader shared this information with the wider Bill Team and have previously released emails under FOI showing that we contacted stakeholders on 9 October (<https://beta.gov.scot/publications/foi-18-02966/FOI-18-02966-%2002967-%2002968%20-%20related%20documents.pdf?inline=true>).

Given this information, it appeared from our records and recollection that it was the 6th of October on which this phone call took place. We are confident that this information was shared during a phone call between the Deputy Bill Team leader and the Clerk around this time but are happy to be corrected on the precise date, should your records show something different.

You highlight that the order of evidence was shared with the Bill team 'in confidence'. This email was received on 13 September and was treated as such. This email was received in reply to an email from the Deputy Team Leader to Committee Clerk on 11 September where

the Deputy Bill Team Leader says he is requesting this information as *“If there is anyone we need to speak to we would have to get on this asap”*. Committee Clerk confirms in her email of 13 September that *“I can't confirm the names of organisations yet as they are yet to confirm with us if they can attend”* demonstrating she understood why this information was being requested. Both emails are included in Annex A to the DFM's letter.

You refer to a request from the Bill team on the 26th of October, I cannot confirm the precise date as I no longer have a record of the email concerned. I can confirm that Committee Clerk called me on one occasion in relation to a request she had received from the Deputy Bill Team leader regarding an FMQ brief he was preparing. He sought notice of who was appearing at Committee in order to allow him to prepare the brief in good time. As I recall, Committee Clerk explained to him that this was not a purpose for which the Parliament could provide such information. Committee Clerk then called me, as Bill Team Leader, and we had a brief conversation and I agreed with her position. As I recall, I followed this up with a short email to her.

With regard to Annex C, we commonly refer to organisations as stakeholders so nothing more is meant than this. In the additional information emailed to the Committee Clerk on 27th March, we indicated whether names of organisation, or names of individuals were provided to us by Clerks- please see the attached email for details.

[NOTE the email referred to is provided in exchange 40]

You asked about meetings with stakeholders who were to attend Committee. As set out in the Deputy First minister's letter of 15th March, in some cases, officials and stakeholders were aware of other stakeholders due to appear before Committee. Where officials discussed details of other stakeholders due to appear at Committee, these details had already been published on the Parliament website or had been brought to the attention of officials by Committee Clerks.

With regard to your request about FOI, we follow standard FOI procedure in relation to all FOI requests. **[redacted]** will be happy to pick up any issues connected with the Protocol when you next meet.

I hope this further information is helpful.

Regards

[redacted]

[redacted]

Better Life Chances Unit

[redacted]

2C North Victoria Quay

Edinburgh EH6 6QQ

[redacted]



From: [Clerk Team Leader]
Sent: 28 March 2018 17:16
To: [redacted] [redacted]
Subject: Re: Follow up at official-to-official level

Not a problem at all [redacted]. There is no rush. I am away with the Committee in Sweden and Finland this week anyway. Perhaps we can chat before replying? [redacted]

[redacted]

Get [Outlook for iOS](#)

From: [redacted]
Sent: Wednesday, March 28, 2018 7:12:31 PM
To: [Clerk Team Leader] [redacted]
Subject: RE: Follow up at official-to-official level

[redacted]

I'm only just picking this up today as I have been out of the office for a couple of weeks [redacted]. We'll respond when we can.

Regards

[redacted]

[redacted]

Bill Team Leader

Children and Young People (Information Sharing) (Scotland) Bill

Area 1D South: Victoria Quay

[redacted]

[redacted]

From: [Clerk Team Leader]
Sent: 22 March 2018 17:14
To: [redacted]
Subject: Follow up at official-to-official level

Dear [redacted]

The Education and Skills Committee discussed the Cabinet Secretary's recent letter and Annexes at its meeting yesterday. Members agreed that the Parliament's officials should seek clarification, **official-to-official**, on a number of points. This is to help us understand some aspects of the material that has been sent to the Committee. I am also taking the opportunity to provide information to you on some other issues.

Provision of the Forward Look and the terms of the Protocol between the Committees and the Scottish Government

The Protocol between the Committees and the Scottish Government sets out details of the relationship between these bodies and the type of day-to-day working relationship that is envisaged. The Protocol – at paragraphs 45 and 46 – sets out the need for respective officials to keep each other informed of developments. From our side, this means ensuring that we give reasonable advanced notice of forthcoming committee business.

One of the ways that we do this is by providing a Forward Look to the Minister for Parliamentary Business's Office each Friday on the forthcoming work of all of our committees. As stated on the document, this Forward Look is provided "to assist in forward planning" only. That is, to help ministerial private offices with their diaries and to help other Scottish Government officials know when a briefing may be required for ministerial appearances and which other organisations may also be appearing at the same meeting as the Minister.

I understand that the Clerk to the Committee has highlighted the terms of the Protocol to the bill team on a number of occasions. I would be grateful if you can confirm that this is your understanding of the use that can be made of the information in the Forward Look and any other information of a similar nature provided for the purposes of aiding the planning of work.

Witnesses for the meeting of 28 October 2017

The original version of Annexe C provided to the Committee states that the Scottish Government received details of which stakeholders were giving evidence at this meeting from the Committee Papers on 6 October. I understand that the Clerk has highlighted to you that Committee Papers were not issued on 6 October as it was at the start of the October recess. Could you clarify what was meant by "Committee Papers"?

The revised version of Annexe C now suggests that it was the 'Committee Clerks' that provided this information on 6 October. I understand that the Clerk to the Committee was on leave on 6 October and was travelling overseas on an early morning flight and a number of other clerks that support the Committee were also on leave. Can you clarify what was meant by "Committee Clerks" and the date of 6 October?

Order of evidence

As per the Protocol above, the provision of information to the bill team on the order of evidence that was sent to Government was published on the Parliament's website soon afterwards. The email was marked "In confidence".

Additionally, I understand that the Clerk refused a request on 26th October to provide a member of the bill team with witness names.

The Clerk also recalls that she raised her view that this was not an appropriate request with a more senior official who said they would discuss it with the individual who sent the email. The Clerk would appreciate confirmation as to whether you or others on the bill team can recall this, or any other occasion where you received feedback on stakeholder engagement from the Clerk, whether directly or indirectly.

Other queries about wording in Annexe C

Can you clarify what is meant in Annexe C by the phrase “found out which stakeholders were giving evidence”. This wording could be taken to mean the names of the actual witnesses giving evidence. Our records show that we did not know some of the witness names on the dates stated, only the organisations, so there are a number of names that could not have been shared.

Meetings with witnesses

The last point of clarification is to whether, during meetings with witnesses yet to attend committee, you discussed any other organisations giving evidence in advance of the organisation being in the published agenda. For example, the Clerk is of the understanding that an organisation attending on 1 November was discussed at a meeting you held on 26 October.

Releasing information under FOI

I fully appreciate the requirements placed upon the Scottish Government when releasing information in response to FOI requests. However, as a matter of courtesy, it would be appreciated if we were able to provide more advanced notice of your intention to do so where the information being released includes emails, letters etc. to/from the clerking team with the bill team.

The Committee next meets on Wednesday 18 April and so, if possible, I would appreciate a response from you before then so that we can inform the Committee of any clarification you have provided. I am out the office next week with the Committee but am contactable by email. I would be grateful if it was me that you were in contact with on this issue.

I would be happy to meet either in Holyrood or in your offices if that would prove helpful.

Regards,

[redacted]

Clerk Team Leader

Education and Skills; Local Government and Communities; Culture, Tourism, Europe and External Relations committees

The Scottish Parliament

[redacted]

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THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002

REFUSAL NOTICE

Request Number: 2018-606119

Date: 15 May 2018

This refusal notice is provided in accordance with section 16 of the Freedom of Information (Scotland) Act 2002 (“the Act”).

You have requested certain information which we have decided not to disclose to you. Further information about this decision is set out below.

Information which is the subject of the request	“All correspondence between Scottish Parliament clerks and any Scottish government minister/official/special adviser regarding the work of the Education and Skills Committee relating to the Children and Young People (information Sharing) (Scotland) Bill.”
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This information is held by us but we have decided not to disclose it as we consider it to be exempt information under the Act. Details are set out below.

Exemption(s)	Section 38(1)(b) as read with s38(2)(a)(i)
Why exemption(s) applies	<p>This exemption applies as follows:</p> <ol style="list-style-type: none"> 1. <u>Names and personal contact details.</u> <p>Clerks and Scottish Government officials corresponded with each other under the published protocol (link in the letter of reply). Paragraph 33 of that document applies the protocol to letters and other documents relating to committee business which must be sent to particular addresses and in a particular way. Paragraph 35 of the Protocol provides that those formal documents will be public documents and clerks and officials would have a reasonable expectation that their names could be made public in relation to those documents. Paragraph 33 disapplies the protocol to emails or correspondence on purely administrative or practical matters, which are exchanged between officials and clerks to their personal email addresses. Since those exchanges are not intended for publication,</p>

	<p>individuals would not have any expectation that their personal names or personal contact details would be made public.</p> <p>2. <u>Personal data relating to individuals interspersed in the administrative correspondence</u></p> <p>Individuals would have no expectation that any of their personal data appearing conversationally or provided in order to aid the flow of administrative arrangements etc. would ever be disclosed publicly.</p> <p>In relation to both categories above, while we accept that the applicant, as a journalist, has a legitimate interest in seeking information about the Bill in order to inquire into a particular issue and ultimately bring it to the public attention, it is our view that the disclosure of incidental personal information of individuals is not necessary to that aim. The applicant has not demonstrated any reason why disclosure of personal information would assist him in his inquiry and in our view the individuals' legitimate interests in the non-disclosure of their personal information outweigh the applicant's interests.</p>
Public interest (where relevant)	N/A

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

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

<http://www.parliament.scot/help/43163.aspx>

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

<http://www.parliament.scot/visitandlearn/25072.aspx>

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 6913 (Calls using the Text Relay service are welcome.)

E-mail: 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

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

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

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

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If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with the Head of Information Governance.

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.

E-mail: sp.info@parliament.scot