

Document 1: Email from Officials to Deputy First Minister Private Office, compiling handover period advice, suggesting DFM meet with Lady Poole

From: [redacted]@gov.scot

Sent: 25 October 2022 17:32

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Subject: RE: Letter from the Deputy First Minister

[redacted],

[redacted – out of scope]

If you or team colleagues could make DFM aware of this for now, in terms of timing and when he will see the draft statement, I'd be very grateful. The only other point on which I'd really appreciate a steer just now is whether DFM would in principle be content to have a conversation with Lady Poole – if it were possible to get one set up within her period of leave this week – before the statement? The aim would be try to agree a formal end date for the handover that would then enable us to set a confirmed start date for Lord Brailsford's appointment before the statement is made, as well as offering a courtesy notification to Lady Poole that a new Chair is to be announced. We'd need of course to agree whatever Lady Poole might propose by way of handover period with Lord Brailsford or vice versa, but I think it is worth exploring this if DFM would be content to make such an approach to both parties.

Best wishes,
[redacted]

Document 2: Email between Inquiry and Officials arranging 27 Oct meeting

From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: Wednesday, October 26, 2022 1:19 PM

To: Poole L (Lady Anna) <Lady.Poole@covid19inquiry.scot>

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; [redacted]@covid19inquiry.scot

Subject: Meeting with DFM tomorrow

Dear Lady Poole

The Deputy First Minister would be grateful if you would consider meeting him tomorrow morning (via MS Teams) sometime between 10:30-11:30, ahead of his statement to Parliament in the afternoon (14:25). Please could you let me know whether this may be possible.

Best wishes

[redacted]

[Redacted] | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG [Redacted] |
E: DFMCSCR@gov.scot

From: [redacted]@covid19inquiry.scot

Sent: 26 October 2022 13:35

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; Poole L (Lady Anna) <Lady.Poole@covid19inquiry.scot>

Subject: RE: Meeting with DFM tomorrow

[redacted],

I have heard back from Lady Poole. She would like if the phone call could be 10:30 UK time. Given the fact that Lady Poole is out of the country, it might be best if a direct call could be made to her mobile number. She has indicated that she is happy for me to pass this on.

There is a risk that the dial-in connection may be hampered if there is any confusion around international dialling codes etc.

Lady Poole also asked me to pass on that she can access her faculty email address if that is easier for you. [redacted]

Of course, I'm happy to co-ordinate between the inquiry email and text as required.

[redacted]

From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: Wednesday, October 26, 2022 2:03 PM

To: [redacted]@covid19inquiry.scot; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Subject: RE: Meeting with DFM tomorrow

Hi [redacted]

That is very helpful, thank you. 10:30 would be great - if you are able to give me the best number for Lady Poole I can call Lady Poole and connect her to the DFM using my desk phone.

Many thanks

[redacted]

From: [redacted]@covid19inquiry.scot

Sent: 26 October 2022 14:54

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Subject: RE: Meeting with DFM tomorrow

That's perfect [redacted].

Lady Poole's number is [redacted]

I have texted to let her know the timing and call arrangements. If there are any problems, please let me know and I'll do what I can to help.

[redacted].

Document 3: Email from Officials to Deputy First Minister Private Office discussing Lady Poole's handover in advance of 27 October meeting.

From: [redacted]@gov.scot

Sent: 26 October 2022 17:34

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; McCaig C (Callum) <Callum.Mccaig@gov.scot>; McGillivray D (Donald) <Donald.McGillivray@gov.scot>

Subject: RE: URGENT: [OFF-SEN]: Covid Inquiry Letter - DFM Request - draft Parliamentary statement and supporting advice

Importance: High

[redacted],

For DFM's awareness, and reducing codelist slightly –

I spoke earlier to [redacted] to the Inquiry, and [redacted] advised that Lord Brailsford had an introduction call with [redacted] and [redacted] earlier this afternoon. [redacted] relayed the following to me on the basis that the appointment of the new Chair and the start date for that appointment are matters for Ministers, and she was content for me to pass this on to Ministers for their awareness.

[redacted] noted that the introduction call with Lord Brailsford has been positive, and that he is keen to begin work but equally very mindful of the importance of his formal appointment start date in this context. For that reason, it has been agreed that any discussions with the Inquiry [redacted] before the formal start date point should focus only on the practical matters required to prepare for that, such as getting IT equipment etc in place. [redacted] noted that Lord Brailsford had indicated that he would ideally wish to begin work this Friday (as had been noted in your meeting with him yesterday morning) or next Monday at the latest – but this would be a matter for Ministers to confirm. [redacted]

[redacted].

DFM may wish to consider the approach proposed by Lord Brailsford in advance of his 10.30 call with Lady Poole tomorrow, and whether that call would offer an opportunity to discuss with her the potential for a handover to take effect as soon as this Friday or next Monday for the reasons set out above around stability and certainty. If DFM **would** be minded to mention this approach to Lady Poole, my suggestion would be that we advise Lord Brailsford of this in advance and confirm he is content that a proposed handover date of Friday 28th or Monday 31st October be mentioned to Lady Poole.

I am of course happy to discuss further.

[redacted]

[Redacted]: Covid Inquiry Establishment Division | Directorate for Safer Communities | Scottish Government | [Redacted]

Document 4: Email from Inquiry to Deputy First Minister Private Office confirming Chair notice period following 27 October meeting.

From: [redacted]@covid19inquiry.scot

Sent: 27 October 2022 11:12

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; [redacted]@gov.scot; McGillivray D (Donald) <Donald.McGillivray@gov.scot>

Cc: Poole L (Lady Anna) <Lady.Poole@covid19inquiry.scot>; [redacted]@covid19inquiry.scot

Subject: Scottish COVID-19 Inquiry Chair

Good morning

I have spoken to Lady Poole who has asked me to confirm on her behalf that she is content for her notice period to end today 27 October 2022.

Could you please let me know if anything further is required today?

Many thanks

[redacted]



[redacted]
Scottish COVID-19 Inquiry

[redacted]
FREEPOST Scottish COVID-19 Inquiry
www.covid19inquiry.scot

From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 27 October 2022 15:59

To: [redacted]@covid19inquiry.scot; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>; [redacted]@gov.scot; McGillivray D (Donald) <Donald.McGillivray@gov.scot>

Cc: Poole L (Lady Anna) <Lady.Poole@covid19inquiry.scot>; [redacted]@covid19inquiry.scot>

Subject: RE: Scottish COVID-19 Inquiry Chair

Hello [redacted]

Thank you very much for this. I can confirm that nothing further is required today.

Many thanks

[redacted]

Document 5: Note of phone meeting between the Deputy First Minister and Lady Poole on 27 Oct, 1030

From: [redacted]@gov.scot>

Sent: 02 November 2022 11:37

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Safer Communities <DirectorofSaferCommunities@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; Communications DFM & Covid Recovery <CommunicationsDFM&CovidRecovery@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot

Subject: Covid Inquiry - Letter Confirming Lady Poole's Date of Resignation

PS/DFM

Please see attached a letter which formally confirms Lady Poole's date of resignation in response to [redacted] email of 27 October on behalf of Lady Poole. DFM is asked to agree and issue to Lady Poole.

The letter follows a meeting between DFM and Lady Poole on Thursday 27 October on this issue. The note of this meeting was drafted by [redacted] and is included below, for DFM's agreement before being stored for record.

BEGINS

DFM spoke with Lady Poole by conference call at 10.30am on Thursday 27 October. Also present on the call were [redacted] and [redacted].

DFM thanked Lady Poole for her time to speak and explained that he would be making a statement to the Scottish Parliament that afternoon, although the details he would advise her of must be kept private until that point.

DFM noted that he was now in a position to appoint another senator to take over the leadership of the Scottish Covid-19 Inquiry, and that he would that afternoon intend to announce that the Hon Lord Brailsford would now lead the Inquiry. As the Inquiries Act permitted only one Chair of an inquiry to be in place at any one time, for Lord Brailsford to be able to start as Chair the following day (28 October) as he was available to do, the effective date of the end of Lady Poole's notice period would need to be before that point.

Lady Poole noted that she had already made clear her resignation in her email to DFM of 30 September and asked what else she needed to do in order to make that take effect, to which DFM clarified that it would be helpful to receive in writing her agreement that the end of her notice period take effect sooner than the three months from 30 September specified in her appointment letter. Lady Poole noted that although she was on holiday and therefore had no way personally to put her agreement to this in writing to DFM, she would ask the Inquiry [redacted] to send a note to say she had agreed that her notice period had concluded with effect from Thursday 27 October.

Lady Poole noted that it would be sensible if she could continue for now to have access to her Inquiry IT account so that any files and documents that were needed could be used in a handover to Lord Brailsford to explain work undertaken to date, and DFM noted that he would have no issue with that approach.

DFM concluded by thanking Lady Poole for her leadership of the Scottish Covid-19 Inquiry and contribution to its work during her time as Chair.

ENDS

[redacted]

Covid Inquiry Establishment Division | Directorate for Safer Communities | Scottish Government
[redacted]

From: [redacted]@gov.scot

Sent: 03 November 2022 16:27

To: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Safer Communities <DirectorofSaferCommunities@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; Communications DFM & Covid Recovery <CommunicationsDFM&CovidRecovery@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>; [redacted]@gov.scot>

Subject: RE: Covid Inquiry - Letter Confirming Lady Poole's Date of Resignation

PS/DFM

The previous version of note of meeting with Lady Poole and DFM on 27 October has been amended to more accurately reflect the outcome of what was agreed with DFM at the meeting:

Lady Poole noted that although she was on holiday and therefore had no way personally to put her agreement to this in writing to DFM, she would ask the Inquiry [redacted] to send a note to say she had agreed that her notice period had concluded with effect from Friday 28 October (in the event, the email subsequently received from Inquiry [redacted] said that Lady Poole was content that her notice period would end with effect from that day, Thursday 27 October).

Please can this revised version of the note (below) be used for DFM's agreement before we store for the record.

Apologies for inconvenience.

Thanks

[redacted]

Covid Inquiry Establishment Division

[redacted]

From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 03 November 2022 17:43

To: [redacted]@gov.scot; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Safer Communities <DirectorofSaferCommunities@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; Communications DFM & Covid Recovery <CommunicationsDFMandCovidRecovery@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot

Subject: RE: Covid Inquiry - Letter Confirming Lady Poole's Date of Resignation

Hi [redacted]

DFM has cleared the letter – please see attached, grateful if this could be stored for the record. I will come back separately on the note of the meeting, once updated wording cleared by DFM.

Thank you

[redacted]

Document 6: Letter from Deputy First Minister Private Office to Lady Poole confirming resignation date

From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 03 November 2022 16:57

To: [redacted]@scotcourts.pnn.gov.uk

Cc: Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Subject: Letter from the Deputy First Minister

Dear Lady Poole

Please find attached letter from the Deputy First Minister.

Many thanks

[redacted]

[redacted] | [redacted] | Scottish Government | St Andrew's House | Edinburgh | EH1 3DG

[redacted] | E: DFMCSCR@gov.scot

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From: [redacted]@gov.scot **On Behalf Of** Deputy First Minister and Cabinet Secretary for Covid Recovery

Sent: 07 November 2022 12:39

To: [redacted]@gov.scot; Deputy First Minister and Cabinet Secretary for Covid Recovery <DFMCSCR@gov.scot>

Cc: First Minister <firstminister@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>; Solicitor to the Scottish Government <solicitor@gov.scot>; DG Education & Justice <dgej@gov.scot>; Director of Safer Communities <DirectorofSaferCommunities@gov.scot>; McCaig C (Callum) <Callum.Mccaig@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; Communications DFM & Covid Recovery <CommunicationsDFM&CovidRecovery@gov.scot>; Communications First Minister <CommunicationsFirstMinister@gov.scot>; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot; [redacted]@gov.scot

Subject: RE: Covid Inquiry - Letter Confirming Lady Poole's Date of Resignation

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

Hi [redacted]

DFM is content with the updated note of the meeting.

Thank you

[redacted]