

Subject: Request for review of original response.

FOI reference: 202100231210

Date received: 16 August 2021

Date responded: 13 September 2021

Information requested:

In your original request of 11 July 2021, you asked for:

‘Any internal messages, newsletters, emails, or statements to staff detailing the work of the NRS on the topic of the compiling of Covid-19 statistics for a briefing to be sent to the Scottish Government, between the dates of March 1, 2020 and July 31, 2020.’, with a particular focus on ‘detailing whether individuals would be seconded or moved to work on a specific briefing, why a particular briefing was being compiled and at whose request’.

In your review request of 16 August 2021, you mentioned that:

‘Given the existence of many emails around this time which have been disclosed, I find it difficult to believe that the emails and staff briefings I refer to are not held by the NRS at all, just over a year after the events in question.’

NRS Response:

I have concluded that the original decision should be confirmed, with one modification.

NRS does not hold any newsletters, emails, or statements to staff relevant to your request. As mentioned in our original response, emails and other communications created in the preparation of the weekly briefing provided to the Scottish Government would not be routinely retained, as they would be considered day-to-day information with no ongoing business value.

Any records of corporate value are stored in our electronic Records and Document Management (eRDM) system. National Records of Scotland’s email management policy means that any emails in an individual’s email inbox are ‘archived’ after 60 days into a system called Enterprise Vault. These email messages are retrievable for a further year, before being deleted. This means that individuals would not have email messages any older than 14 months in their inboxes. In addition to this, email management guidance recommends that staff should proactively delete emails with no ongoing business value from their inboxes, in order to keep the volume of email messages manageable.

I can confirm that at the time you made your original request that searches were carried out to identify information relevant to your request of both individual mailboxes and Enterprise Vault and no relevant emails were found.

The operational allocation of work is not always conducted using e-mail but may be on the basis of a discussion, for example either face to face, by telephone or using videoconferencing. During the period in question (1 March-31 July 2020), as a result of the pandemic a large proportion of face to face interaction took place via Skype or phone call. Although neither of these forms of communication are recorded, any outcomes of discussions taking place via these means that are of enduring corporate value must be written up and added to the corporate record. However in this case such routine allocation of work discussions were of a day-to-day, short-term operational nature.

Regarding your mention of 'whether individuals would be seconded or moved to work on a specific briefing, why a particular briefing was being compiled and at whose request', it was explained in our original response that NRS provided a weekly briefing to the Scottish Government in advance of our official statistics product from 7 April 2020 onwards. These briefings summarised key aspects of the weekly briefings, so there are no specific reasons why a particular one of these briefings was produced. Similarly, while individuals may have been moved to work on these briefings, this would have been for an extended period rather than to work on one specific briefing.

However, while carrying out this review I did find one internal message from the time in question which mentions the work of creating these briefings. This internal message takes the form of an interview with a Statistical Services member of staff, and was published on the NRS intranet. I enclose the relevant excerpt of that message. Names of individuals have been redacted because an exemption under section 38(1)(b) (personal information) of FOISA applies to that information. The exemption applies because it is personal data of a third party and disclosing it would contravene the General Data Protection Regulation and Data Protection Act 2018. This exemption is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exemption.

This is formal notice under section 17(1) of FOISA that National Records of Scotland does not have most of the information you have requested apart from the enclosed copy of the internal message.