

To: Social Justice and Social Security Committee
The Scottish Parliament
Edinburgh
EH99 1SP
09 November 2023

Omission of information and inaccuracies in letter from Cabinet Secretary for Social Justice to the Convener of Scottish Parliament Social Justice and Social Security Committee.

Dear Convener

We wish to follow up on a letter you received from the Cabinet Secretary for Social Justice on the 20 September 2023 in response to questions asked by the Committee about the Poverty and Inequality Commission (PIC) re-appointment process for Commissioners. We only recently became aware of this letter. Having read it we noted omissions of information and inaccuracies relating to the events, circumstances and aspects of the process that led to our resignations.

As the letter is now in the public domain, and directly refers to the circumstances of our resignations, we feel it is pressing that the omitted information and inaccuracies should be shared with you to enable you to have a full and complete understanding of what happened.

We have met with the Cabinet Secretary for Social Justice (30 November 2023) and put in writing our concerns about the omitted points, asking for this information to be shared with you in an addendum letter (2 November 2023).

We are aware that the Cabinet Secretary for Social Justice has now commissioned a review of what happened although we have no time limit for this to begin. It is our hope that the detail from the review will provide you with greater insight on the circumstances that led to our resignations. However, in the meantime and in the interest of accuracy and transparency given that information from the Cabinet Secretary's letter to you is in the public domain, we felt duty bound to ensure you had the omitted information and were aware of the inaccuracies.

There are three points that we should like you to note:

- Our first intimation of the reappointment process came by way of two commissioners being sent informal emails and one having an informal conversation with the Chair of the Commission in January 2023. This asked if they would be willing to stay on "for a wee bit longer." Emails were titled "Quick Question."

We heard nothing further about reappointments until we received official letters from the Parliamentary Committee Convener on the 6 July 2023.

We were not, as stated in the Cabinet Secretary's letter of the 20 September 2023, informed by the Chair of the Commission, the Sponsor Team, or the Secretariat either formally or informally that we were being considered for a three-year reappointment. We were not involved nor updated on any discussions about our reappointments between the January 2023 email and receiving the letter from yourself.

- We were made aware in communication with a member of the sponsor team in July 2023 (when requesting a meeting to discuss our concerns regarding the behaviour of the Chair of PIC at our recovery/mediation meeting in July 2023) that there had been previous concerns about the Chair.
- For clarity, the Chair offered to resign during our recovery/mediation meeting on the 25 July 2023, stating that they were aware they had “made a catastrophic error”, then rowed back from this offer, even denying they made it. The Chair also misrepresented the etiquette and discussions at this meeting to the Commission’s Secretariat shortly thereafter.

It was this breakdown in trust which left us in an untenable position with no option but to tender our resignations.

We first heard about the Chair choosing to resign after we had submitted our resignation letters. Disappointingly, we were not made aware of the Chair’s intention to resign by the sponsor team nor that the Chair was considering a time frame as this information would certainly have avoided our resignations.

As public servants we are committed to the Nolan Principles, and it is for that reason we are writing to the Committee today to set out what we believe to be important points in the process and the causes which led to our resignations that were omitted from the correspondence between the Cabinet Secretary for Social Justice and the committee Convener.

While we recognise that this has been an extremely stressful process for all concerned, we are saddened and disappointed to have to finish our appointment terms as commissioners under these circumstances. We remain committed to the aims of the PIC and would have preferred to fulfil our terms as Commissioners, had these circumstances not prevented this.

We hope this information is helpful in ensuring a correct account of the sequence of events surrounding our reappointments and resignations.

Yours sincerely

Linda Bamford

Commissioner

Lindsay Graham OBE

Commissioner

Shona Stephens

Commissioner