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Valerie Watts
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27 JAN 2014

23 January 2014

Dear Valerie,

Thank you for your letter of 23 August regarding the Aberdeen Donside by-election.

I have considered the issues you raised and am writing in similar terms today to Councillor Crockett.

I have also had sight of the correspondence relating to this matter, including that between the First Minister and yourself. I have also consulted Sir Peter Housden, Permanent Secretary for the Scottish Government.

I am satisfied that the Permanent Secretary handled these matters appropriately, and in line with his duties and responsibilities.

I should be clear that the concerns raised about any possible breach of the Scottish Ministerial Code are not matters for me nor for the Permanent Secretary for the Scottish Government. These are matters for the First Minister and I understand that the First Minister has written to you and others separately on this matter.

As Sir Peter made clear in his letter to you of 6th August, there were no formal purdah procedures in place around the Aberdeen Donside By-election. Sir Peter did, however, consider the specific issues raised in relation to the Piper Alpha Memorial Trust and was satisfied that the announcement made reflected the normal business of government and a significant matter of national interest.



I understand that a calling notice was not issued by the Scottish Government for the Hazlehead Park visit as it normally would. This matter was recently addressed in response to a PQ, with this oversight being acknowledged by the Scottish Government.

Concerns raised about any possible breach of the Scottish Ministerial Code are matters for the First Minister.

Bob Kerslake



Your Ref.
Our Ref. VW/CM
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ABERDEEN CITY COUNCIL

23 August 2013

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Dear Sir Bob

First Minister's professional conduct: Aberdeen Donside by-election

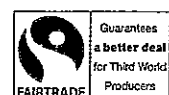
Please find enclosed copy correspondence between myself and Sir Peter Housden, Permanent Secretary to the Scottish Government about the above issue considered at the meeting of Aberdeen City Council on 26 June 2013.

The exchange of correspondence was reported to the Council at its subsequent meeting of 21 August and following debate the Council resolved to agree a motion in the following terms:

- i) Council notes the reply received from the Permanent Secretary in which he states that has seen sight of the First Minister's response to the Chief Executive, which includes reference to our complaint to the Permanent Secretary. Council notes with astonishment that the First Minister responds to the Chief Executive seemingly on behalf of the Permanent Secretary and notes that the First Minister has been allowed to write his own response to the formal complaint made to the Permanent Secretary. Indeed, it would appear that the Permanent Secretary has failed to investigate the complaint made, with no indication of an investigation, nor that any follow-up has taken place. The Permanent Secretary made no further contact with our Chief Executive prior to sending his response.
- ii) Council agrees the situation has escalated since the Chief Executive first wrote her letters to the Permanent Secretary as the First Minister is on record as saying that his visit to Bramble Brae School was "impromptu and not pre-planned". Given that the SNP issued a calling notice stating that the First Minister would be in attendance at the school and that there would be an opportunity for interviews and photographs, it would appear that the First Minister may have deliberately misled the Permanent Secretary on this matter.

VALERIE WATTS
CHIEF EXECUTIVE

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- iii) Council therefore instructs the Chief Executive to write to Sir Bob Kerslake, Head of the Home Civil Service calling on him to carry out an investigation into the events which led to the complaint being sent to the Permanent Secretary to the Scottish Government, to establish whether or not the Ministerial Code was broken, whether or not there was an appropriate investigation undertaken by the Permanent Secretary and whether or not the complaint was managed in an appropriate and suitable way.
- iv) Council instructs the Chief Executive to report back to the Council the response received from the Head of the Home Civil Service in order that the Council may determine its position on this matter.

As a result, I therefore write to you to request that you examine the matters raised here. I look forward to hearing from you and I confirm that I would be happy to discuss the situation in detail with you if that would be of assistance to you.

Yours sincerely

Valerie Watts
Chief Executive

Permanent Secretary
Sir Peter Housden KCB

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6 August 2013

Valerie

Aberdeen Donside By-election

Thank you for your letter of 1 July following the Council's instruction that you should write to me 'demanding an investigation into the First Minister's professional conduct during the Aberdeen Donside by-election'.

In your letter, you refer to the First Minister's visit to Bramble Brae School, and separately to the announcement of the Scottish Government's donation to the Piper Alpha Memorial Trust.

I have had sight of your letter to the First Minister on these questions, and of his reply of today's date sets out the facts and background on both issues.

As the First Minister indicated, the business of government continues during by-elections – there are no 'purdah' procedures per se. The donation to which you refer formed part of a suite of events and engagements in Aberdeen and elsewhere that ran through the period to the anniversary on 6 July and beyond. It was made to the Piper Alpha Memorial Trust, a body set up to preserve the memory of a tragedy impacting on victims and relatives from many nations and communities.

I hope these points will be of assistance to the Council

Your Ref.
Our Ref. VW/CM/EM/16/1
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ABERDEEN CITY COUNCIL

1 July 2013

Sir Peter Housden KBC
Permanent Secretary
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Dear Sir Peter

Aberdeen Donside By-election

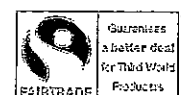
At its meeting on Wednesday 26 June 2013 Aberdeen City Council considered and approved a notice of motion in the following terms:

Council instructs the Chief Executive to write to Sir Peter Housden, Permanent Secretary to the Scottish Government demanding an investigation into the First Minister's professional conduct during the Aberdeen Donside by-election looking specifically at:-

- i) the First Minister's unannounced visit and lecture on 18 June 2013 to schoolchildren at Bramble Brae School without reference to Aberdeen City Council's Director of Education, Culture and Sport or to the Head Teacher of the said school, noting that the school is currently subject to statutory consultation regarding its future within the wider school estate; and
- ii) the First Minister's unannounced visit to Hazlehead Park on 17 June 2013, a park owned wholly by Aberdeen City Council, again without any reference to the City Council in the middle of a by-election; and whilst welcoming the announcement of a £100,000 Scottish Government donation to the Piper Alpha Memorial Trust, purdah rules seem to have been ignored.

Council instructs the Chief Executive to report back to the Council the response received from the Permanent Secretary, in order for Council to determine its position on this matter.

VALERIE WATTS
CHIEF EXECUTIVE



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Given the above, I would welcome the opportunity to discuss with you how I and my colleagues at the City Council would be able to assist you in progressing any investigation you undertake.

I look forward to hearing from you.

Yours sincerely

Valerie Watts
Chief Executive