



Our ref: FoI/2018/6

Request dated 22 September 2018 under the Freedom of Information (Scotland) Act 2002 for information relating to the process of planning and preparing for the UK leaving the European Union.

1. How much has been spent on external consultants or support to advise on the implications and consequences of Brexit, or recommend actions to mitigate any possible Brexit impacts? If spend has occurred, please confirm the name of the supplier or suppliers and copies of any material produced by this process.

Response to your request

The Scottish Fiscal Commission has not spent any money on external consultants or support for these matters.

2. Please supply copies of any Brexit planning documentation held by the organisation or consumed by senior management. This may include, but should not be limited to, Risk Assessments, Action Plans, Meeting minutes, Reports and presentations.

Response to your request

A list of relevant documents is attached as an annex to this letter; copies have been shared as separate documents.

3. Please supply technical or advisory briefing documentation on Brexit that has been produced by the organisation and supplied to other government agencies or bodies.

Response to your request

The forecast and forecast evaluation publications produced by Scottish Fiscal Commission explain that the Commission must make assumptions about the impact of Brexit on Scotland, but that as the outcome of the negotiations remains unclear, it is therefore difficult to forecast the impact on the economy. These reports are available at www.fiscalcommission.scot/publications/.

Under section 25(1) of the Freedom of Information (Scotland) Act 2002, we do not have to give you information which is already reasonably accessible to you. If, however, you do not have internet access to obtain this information from the website(s) listed, then please contact me again and I will send you a paper copy.

4. Please supply copies of any technical or advisory documentation that has been supplied to the agency from other public bodies that relates to Brexit contingency planning.

Response to your request

Exemptions under section 30(b)(i) of FOISA (free and frank provision of advice) and section 30(b)(ii) of FOISA (free and frank exchange of views) apply to all the information requested. This exemption applies because disclosure would, or would be likely to, inhibit substantially the free and frank provision of advice. This exemption recognises the need for SFC staff to have a private space within which to provide free and frank advice and views to Scottish Government officials before the Scottish Government reaches a settled public view. Disclosing the content of free and frank advice and discussions on Brexit contingency planning will substantially inhibit the provision of such advice and discussions in the future, particularly because these relate to a sensitive issue, EU Exit, which is still on going and around which many uncertainties remain.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption.

We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is a greater public interest in allowing a private space within which SFC staff can provide full and frank advice and have full and frank discussions with the Scottish Government on EU exit contingency planning, as part of the process of exploring and refining the Government's contingency planning. Premature disclosure is likely to undermine the full and frank discussion of issues, which in turn will undermine the quality of the decision making process, which would not be in the public interest.



5. Please supply details of any assessment that has been made of the financial impact on the organisation, either positive or negative, of the Brexit process. Has the organisation set-aside a contingency fund or invested as a direct consequence of the Brexit process? If so, please provide summary details.

Response to your request

There has been no assessment of the financial impact on the Scottish Fiscal Commission of the UK leaving the European Union, nor has a contingency fund been set aside.

Annex

List of Documents

SFC consideration of impact of EU exit on workforce – internal draft	 Impact of EU withdrawal on publ
SFC - Staffing Risk Card	 Staffing risk card.pdf