

PE1481/C

Scottish Procurement and Commercial Directorate
Scottish Procurement Policy, Strategy and Systems Division

T: 0141-242 5672
E: paul.mcnulty@scotland.gsi.gov.uk



Stuart Todd
Assistant Clerk to the Public Petitions Committee
Public Petitions Committee
Room T3.40
Scottish Parliament
Edinburgh
EH99 1SP



12 September 2013

Dear Mr Todd

PE01481 - End to blacklisting in Scotland

I refer to your letter dated 20 June 2013 inviting the Scottish Governemnt to submit a response to the Committee on the issues raised in the public petition. PE01481 - End to Blacklisting in Scotland, and apologise for not responding within your deadline.

The Government restates its position that blacklisting is unacceptable and notes that it has been acknowledged by the petitioners and the Committee that the Scottish Affairs Committee's inquiry into Blacklisting in Employment is still investigating the extent to which the practice of blacklisting has taken, and may still be taking, place in Scotland. The Government remains of the view that it is appropriate for that Committee to conduct and conclude its inquiry into this issue, as matters of employment law are reserved to the UK Government. As has been stated previously, the Scottish Government is not convinced of the merits of holding another inquiry whilst the Scottish Affairs Committee's investigation is on-going and its recommendations pending.

We are pleased to note that the petitioners and Committee have also acknowledged the work that has been undertaken to date involving the Unions and Government officials on the preparation of guidance that can be issued to the public procurement community in Scotland regarding how to take account of any instances of blacklisting by a supplier as part of a procurement process. Since the Committee hearing, we have had a further meeting with the unions and are hopeful that we can finalise the wording of the questions and the contract condition in the near future. We believe that such guidance will be welcomed throughout the community and will help identify where companies have been involved in blacklilsting and address the shared concerned that this issue raises.

Finally, I can confirm that the Deputy First Minister responded to Mr Findlay's point (*Official Report, col 1476*) around the time of the Petition Committee hearing.

I hope this response is helpful.

Paul McNulty
Deputy Director
Scottish Procurement