



The Scottish Parliament
Pàrlamaid na h-Alba

Information Management and Governance
Scottish Parliament
Edinburgh
EH99 1SP

foi.officer@parliament.scot

21 January 2022

Dear Requester

REQUEST FOR INFORMATION: 2022-760443

We acknowledge your request for the following information:

Under FOISA 2002 I require the following information:

- 1. Job description of First Minister of Scotland and terms and conditions of contract, including any and all oaths sworn.*
- 2. Job description of Member of Scottish Parliament and terms and conditions of contract, including any and all oaths sworn.*

Your request was received on 13 January 2022 and has been handled in accordance with the Freedom of Information (Scotland) Act 2002 (FOI(S)A).

In relation to the first part of your request, information about the job description for the First Minister of Scotland and terms and conditions of contract is not held by the Scottish Parliament and therefore we cannot provide this to you. The position of first Minister is required under sections 44 to 46 of the Scotland Act 1998, and is appointed by the Monarch following nomination by the Parliament (under Chapter 4 of the Parliament's Standing Orders). Whilst the First Minister is accountable to the Scottish Parliament the role of First Minister is a Scottish Government position, notably as Head of the Scottish Government. Accordingly, we would advise you to contact the Scottish Government for further information about the First Minister of Scotland.

As we do not hold information about the job description of the First Minister and terms and conditions of contract, we have provided a notice advising that the information you have requested is not held by the Scottish Parliament.

In relation to the second part of the request, Members of the Scottish Parliament (MSPs) are elected representatives, not employees of the Scottish Parliament, and there is no definitive 'job description' for the role. MSPs have a range of duties, from parliamentary business – taking part in Chamber debates and committee participation, including scrutiny of proposed new laws – to a more representative role, dealing with issues raised with them by constituents, as well as an engagement role in their constituency/region with local businesses, third sector organisations, etc. To assist you with this request, you can access information about MSPs, including how to become an MSP and the work carried out by MSPs, on the Scottish Parliament website at the following link: <https://www.parliament.scot/msps>

The following resources about the role of MSPs may also be of use to you:

- the short animations [Members of the Scottish Parliament](#) and [The Role of Members of the Scottish Parliament \(MSPs\)](#)
- the leaflets [The Work of the Scottish Parliament](#) and [Your MSPs](#)

The [Code of Conduct for MSPs](#) sets out the rules and standards that Members have to follow in relation to their parliamentary duties as an MSP. This includes a section on [engaging with constituents](#). Information on what MSPs might do to assist their constituents can be found in the [About MSPs](#) section of the Parliament's website.

You may also be interested in the Parliament's [Standing Orders](#), which are the rules of procedure for the Parliament. There are other parts of our website that touch on what MSPs might do, including pages on [cross-party groups](#), on [proposals for bills](#) and on [Parliament groups and people](#) (which covers roles such as Presiding Officer and members of the Scottish Parliamentary Corporate Body). Information for prospective employees about [working for MSPs](#) might also give you an insight into their role.

The political parties may have further information about standards that they expect their MSPs to follow, and you may therefore wish to approach the political parties directly for this information.

Finally, MSPs who are also Scottish Government Ministers are expected to follow the [Scottish Ministerial Code](#).

In relation to your request for information about oaths sworn, under section 84 of the Scotland Act 1998 a Member must take the oath or make the affirmation before they can take part in any parliamentary proceedings. All 129 Members elected at the election on 6 May 2021 took the oath or made the affirmation. Details of the swearing-in of each Member is publicly available in the Official Report of the parliamentary proceedings relating to this which took place on 13 May 2021. Please see below for links to the Official Report for 13 May 2021 and further information on the Official Report:

- [Meeting of the Parliament: 13/05/2021 | Scottish Parliament Website](#)
- [Official Report | Scottish Parliament Website](#)

As this information is publicly available in the Official Report on the Scottish Parliament website, we have provided a notice in terms of section 25 of FOI(S)A (in respect of information that is otherwise available).

In keeping with our FOI procedures, this information may also be posted on the Parliament's disclosure log (usually within 24 hours). For further details on the Parliament's Disclosure Log and the information released under FOI, visit:

<https://archive2021.parliament.scot/abouttheparliament/17700.aspx>

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<https://www.parliament.scot/about/copyright>

We would welcome feedback or comment on how we handled your request. Please feel free to contact the Head of Information Governance at

foi.officer@parliament.scot

Please find below Annex A, which explains how we handle FOI requests and reviews.

We are currently working remotely and so would ask you to contact us by email at foi.officer@parliament.scot

Yours sincerely,

Robin Davidson
Head of Information Governance

**REQUESTS MADE UNDER
THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

How we handle FOI requests

Information on how we handle FOI requests is available on the Parliament's website at:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Alternatively, please contact the Public Information and Resources Team to request a copy.

<https://www.parliament.scot/contact-us>

Review

If you are dissatisfied with the way in which we have dealt with your request for information, you can ask us to review our decision and actions. You must do this in writing (or other permanent form) within 40 working days of the date of this letter, stating the reasons for your dissatisfaction, and we will respond within 20 working days of receipt. A request for a review should be made to the Head of Information Governance:

Post: Head of Information Governance
The Scottish Parliament
Edinburgh
EH99 1SP
Telephone: 0131 348 5281

We welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

Email: foi.officer@parliament.scot

Application to the Scottish Information Commissioner

If, on the outcome of any review, you are still dissatisfied, or if we are unable to resolve any other complaint, then you can contact the Scottish Information Commissioner:

Post: The Office of the Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

Email: www.itspublicknowledge.info/Appeal

Telephone: 01334 464610

Fax: 01334 464611

Website: www.itspublicknowledge.info

A decision by the Scottish Information Commissioner may be appealed on a point of law to the Court of Session.

Copyright in relation to information provided

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Feedback or comment

We would welcome feedback or comment on how we handled your request. Please contact the Head of Information Governance.

Data Protection

If you wish to find out more about how we use your personal data then you can access our Privacy Notice at the following link:

[Privacy notice: Information rights: Freedom of Information request handling | Scottish Parliament Website](#)

Complaints

If you are dissatisfied with the way in which we dealt with your enquiry, then you may wish to raise the matter with Public Information and Resources.

How to contact us

Post: The Scottish Parliament
Edinburgh
EH99 1SP

Telephone: 0131 348 5000
0800 092 7500 (Public Enquiries)
0131 348 5395 (Gàidhlig)

We also welcome calls using the Text Relay service or in British Sign Language through [contactSCOTLAND-BSL](#).

Email: info@parliament.scot