



J Grove
request-825352-15347355@whatdotheyknow.com

Our Reference: 202200274951

10 May 2022

Dear J Grove,

Further to my letter of 4 May 2022, I have now completed my review of our response to your request under the Freedom of Information (Scotland) Act 2002 (FOISA) for the recorded dates for all memoranda, reports and other communications from the CMO and NCD to the Scottish Government on the effect of mask wearing on the following:

1. Child speech and language development
2. Mental health and emotional wellbeing of children and young people
3. Children and young people who are deaf or have partial hearing.

I have concluded that the original decision should be confirmed without modifications.

I have conducted a search of our information management system for the recorded dates for all memoranda, reports and other communications from the NCD and CMO to the Scottish Government and as per our original response have concluded that under Section 17 (1) of FOISA that the Scottish Government hold no documents within scope of your request.

You may find it useful to know that while Professor Sir Gregor Smith, the Chief Medical Officer, is based in the Scottish Government and is supported by Scottish Government civil servants, 'The Chief Medical Officer of the Scottish Administration' is designated (at Part 2 of Schedule 1 of FOISA) as a wholly separate public authority from the Scottish Government ('The Scottish Ministers' are designated at Part 1 of Schedule 1). It should also be noted that requests for information submitted under FOISA cannot be transferred from one authority to another.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



You may wish to contact the Chief Medical Officer directly at cmo@gov.scot. You can also contact the Chief Medical Officer at:

Chief Medical Officer
St Andrew's House
2 Regent Road
Edinburgh
EH1 3DG

If you are unhappy with the outcome of this review you have the right to appeal to the Scottish Information Commissioner about our decision within 6 months of receiving this letter. Information on how to make an appeal, along with an application form, is available on the Commissioner's website [here](#).

You can also contact the Commissioner at:

The Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS

E-mail: enquiries@itspublicknowledge.info
Telephone: 01334 464610

Should you then wish to appeal against the Commissioner's decision, there is a right of appeal to the Court of Session on a point of law only.

Yours sincerely

Claire Grant
RSOC : Correspondence Team

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