

6 September 2022

Request under The Freedom Of Information (Scotland) Act 2002

Thank you for your Freedom of Information request dated 9 August 2022. I have set out the questions below alongside our answers, for ease:

1. Please give me a list of human rights due diligence checks your organisation has conducted since the publication of the Scottish Government document, [Guidance on due diligence: human rights](#), detailing in each case whether or not you proceeded with an investment relationship or business agreement following the undertaking of these checks. Please also detail any instances of non-compliance with the guidance that have been reported.

This information is not held, in line with section 17 of FOISA.

However, though we do not specifically refer to checks as being carried out as part of human rights due diligence by name, we do conduct a standard due diligence process before an agreement is entered into or grant is provided. This standard process includes a number of the checks which are referred to in the human rights due diligence guidance. These have been summarised below:

- Companies House check
 - Name of business
 - Address of business
 - Company structure
 - Anomalies on filings
- Bank account checks
- Financial position of the company using last set of accounts
- Public liability insurance check (where required)
- Core criteria assessment in relation to the grant
 - Does the business meet the criteria of the fund?
 - For events contracts, evidence to show that the business can deliver a successful event (track record)
- Open-source search of publicly available information relating to the reputation and standing of the organisations and individuals

2. If unable to provide such a list, please confirm for me whether your organisation has any record of being previously aware of or having given consideration to this guidance, including being notified of it by a representative of the Scottish Government or other public body.

This information is not held, in line with section 17 of FOISA.

3. Please also tell me how many investment relationships or agreements your organisation has engaged in since June 2018. This request relates to the types of relationship outlined in the aforementioned guidance as meriting a due diligence

check: “any activity which could lead to an investment relationship or agreement with a third party” (source: [Guidance on due diligence: human rights - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/guidance-on-due-diligence-human-rights/pages/1-introduction.aspx)).

Since June 2018, the organisation has entered into 8,622 investment relationships. The majority of these relationships relate to Covid Business Support Grants that were provided by the organisation.

We hope this information is helpful to you. If, however, you are not satisfied with our response or the manner in which we have dealt with your application, you may in the first instance contact our Chief Executive, Malcolm Roughead, whose contact details are set out below:

Mr Malcolm Roughead
Chief Executive
VisitScotland
Ocean Point One
94 Ocean Drive
Edinburgh, EH6 6JH
Telephone: 0131 472 2201
Fax: 0131 472 2223
E-mail: malcolm.roughead@visitscotland.com

If you wish to request a review of your application under either the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004, your request should be submitted to us in writing, or another permanent format (for example e-mail or voice recording), and be received by us within 40 days of the date of this letter. Any request for a review should also set out, in as much detail as possible, the reasons why you are not satisfied with our response or the manner in which we have dealt with your application.

If you are still not satisfied with our handling of your application after we have responded to your request for a review, you have a right to apply to the Scottish Information Commissioner for a decision on whether we have dealt with your request in accordance with the Act.

The Scottish Information Commissioner may be contacted at:

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews, Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
E-mail: enquiries@itspublicknowledge.info

You also have the right to appeal to the Court of Session in Scotland on a point of law concerning our response.

Yours sincerely,
VisitScotland