



Andrew Jones  
request-703082-bde1879f@whatdotheyknow.com

Our Reference: 202000106560

30 November 2020

Dear Andrew Jones,

## **REQUEST UNDER THE FREEDOM OF INFORMATION (SCOTLAND) ACT 2002 (FOISA)**

Thank you for your request dated 11 November 2020 under the Freedom of Information (Scotland) Act 2002 (FOISA).

### Your request

You asked for:

1. Has Google, or its parent company Alphabet, ever approached the Scottish Government to request access to health or social care records? If so, please provide details
2. Google has recently partnered with OLM Systems, the largest supplier of social care IT systems to Scottish local authorities. This move will provide Google with access to social care records of service users in any councils using OLM Systems' newest product, called Eclipse. Has this partnership been considered or approved by the Scottish Government?
3. OLM Systems recently challenged two councils in Scotland and Scotland Excel over competitive tenders which OLM Systems lost. It is understood that the legal costs may have been underwritten by Google. Does the Scottish Government hold any information relating to these three legal challenges which either confirms or refutes this?

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



## Response to your request

The Scottish Government does not have the information you have asked for.

With regards to point 1 of your request I would like to assure you that the Scottish Government has no proposals for patient data to be passed to Google for data processing operations. The NHS Scotland Public Benefit and Privacy Panel is one of the information governance structures in place for the scrutiny of applications for the use of national NHS Scotland data. The PBPP has not authorised the selling of NHS Scotland's data or received any requests on that regard.

With regards to points 2 and 3 of your request you may wish to contact Scottish Local Authorities who may be able to help you.

This is a formal notice under section 17(1) of FOISA that the Scottish Government does not have the information you have requested.

## Your right to request a review

If you are unhappy with this response to your FOI request, you may ask us to carry out an internal review of the response, by writing to Caroline Lamb, Director for Digital Reform & Service Engagement at [Caroline.Lamb@gov.scot](mailto:Caroline.Lamb@gov.scot) or alternatively at Digital Health & Care, St Andrew's House, 1 Regent Road, Edinburgh, EH1 3DG.

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review in accordance with FOISA as soon as possible, and not later than 20 working days from the day following the date we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itspublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>.

Yours sincerely

Alan Milbourne  
**DHC : Strategy, Policy and Covid Hub**

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