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Dr P J Gordon

[request-163098-59451d56@whatdotheyknow.com](mailto:request-163098-59451d56@whatdotheyknow.com)

Date 25<sup>th</sup> July 2013  
Your Ref  
Our Ref j/482133/25072013

Enquiries to Jan Lyell  
Direct Line 0131 275 6449  
Email [jlyell@nhs.net](mailto:jlyell@nhs.net)

Dear Dr Gordon

**Freedom of Information Request Reference 482133**

I refer to your email of 27<sup>th</sup> June 2013 regarding an outstanding response to a freedom of information request submitted by you. In accordance with our freedom of information procedure I have undertaken a review and now write to you with this result.

I have established that a freedom of information request was received from you on 29<sup>th</sup> May 2013. Under the terms of the Freedom of Information (Scotland) Act 2002 a response should have been sent to you no later than 26<sup>th</sup> June 2013 but this was not done. My investigation has confirmed that this was as a result of a human error combined with a failure in our internal alert system which should have escalated your request. Please accept my apologies for this failure and my assurance that action has been taken to address it.

As part of the review, I have also considered your information request which was for a copy of the register of payments from pharmaceutical companies (and other relevant companies) to staff and any related potential conflicts of interest.

In line with NHS National Services Scotland's (NSS) Code of Conduct set out in our Standing Financial Instructions, staff are not permitted to accept such payments. The Standing Financial Instructions are reviewed on an annual basis and the latest version is available on our website at: [http://www.nhsnss.org/uploads/board\\_papers/B1347\\_SFIs\\_Update.pdf](http://www.nhsnss.org/uploads/board_papers/B1347_SFIs_Update.pdf).

NSS publishes its Board Register of Interests on a quarterly basis on the NSS website at: [http://www.nhsnss.org/supplementary\\_pages/publication\\_detail.php?pid=122](http://www.nhsnss.org/supplementary_pages/publication_detail.php?pid=122).

The NSS Privacy Advisory Committee (PAC) is an advisory committee to our Board and to the Registrar General. PAC advises NSS and the National Records of Scotland on the correct balance between protecting personal data and making data available for research, audit and other important uses and ensures that any information releases are carefully controlled. A copy of the Register of Interests of PAC members is attached as a CSV file. More information about PAC can be found on our website at: [http://www.nhsnss.org/pages/corporate/about\\_pac.php](http://www.nhsnss.org/pages/corporate/about_pac.php). NSS does not maintain another central register of interests.



Chair Professor Elizabeth Ireland  
Chief Executive Ian Crichton

*NHS National Services Scotland is the common name of the Common Services Agency for the Scottish Health Service.*

NSS has a national procurement role for NHSScotland, including the procurement of pharmaceuticals, and lets approximately 70-90 contracts of varying value per annum. Tenders are awarded following stringent public procurement processes and on the recommendations of Commodity Advisory Panels, with membership drawn from NHSScotland and Scottish Government. Members of Commodity Advisory Panels are required to confirm, at the outset of a tendering exercise, that there is not a conflict of interest and this is formally recorded in Commodity Advisory Panel minutes. This Strategic Sourcing activity is audited as part of the NSS internal audit plan.

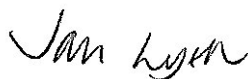
As NSS is a national support rather than a direct patient care organisation, our clinicians have only very limited prescribing activity which occurs in the context of the clinical aphaeresis service provided by the Scottish National Blood Transfusion Services.

I trust that this information is helpful to you but please contact me if it is unclear. If you are dissatisfied with the outcome of this review you have the right, within six months of receipt of this review decision, to apply for a decision to the Scottish Information Commissioner who can be contacted at:

Kinburn Castle  
Doubledykes Road  
St Andrews  
KY16 9DS

You also have the right of appeal, on a point of law, to the Court of Session.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jan Lyell', written in a cursive style.

**JAN LYELL**  
**Head of Corporate Affairs and Identity**