



GIG
CYMRU
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WALES

Bwrdd Iechyd
Addysgu Powys
Powys Teaching
Health Board

Cyfarwyddwr Therapiau
& Gwyddorau Iechyd
Ty Mansion
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Powys LD3 0LS
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Director of Therapies &
Health Science
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Our ref: AS/CP/FOI/13.R.124

26 June 2013

Sent via email to: David Carroll
[request-163116-0834eddc@whatdotheyknow.com]

Dear Mr Carroll

Request under Freedom of Information Act 2000

Further to your previous correspondence in respect of your request for information which we originally received on 29 May 2013, I can confirm in accordance with S.1(1)(a) of the Freedom of Information Act 2000, that Powys teaching Health Board does not hold all of the information you require.

FOI Request

Hospital trusts are reportedly meant to keep a register of payments from pharmaceutical companies (and other relevant companies) to staff, in case of conflicts of interest [1].

I am requesting:

1. A copy of the register for this Trust.

Which I would hope includes details of all relevant payments to staff and any related potential conflicts of interest. If it would be possible to have this information in an appropriate structured data format - for example, a CSV file - this would be helpful.

If this Trust does not have a complete register, I request:

1. the release of the information on this topic that the Trust does hold.
2. An explanation of why the Trust does not hold a complete register.

Pencadlys y Bwrdd Iechyd
Y Plasty, Bronllys, Aberhonddu, Powys LD3 0LS
Ffôn: 01874 711661 Ffacs: 01874 711601



Health Board Headquarters
Mansion House, Bronllys, Brecon, Powys LD3 0LS
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Rydym yn croesawu gohebiaeth Gymraeg
Bwrdd Iechyd Addysgu Powys yw enw gweithredd Bwrdd Iechyd Lleol
Addysgu Powys



We welcome correspondence in Welsh
Powys Teaching Health Board is the operational name of
Powys Teaching Local Health Board

I am aware that some would view data on pharmaceutical funding as personal data for those staff receiving the funding. Even if some of the information on this register may be classed as personal data (although this is contestable - for example, in some sectors of academia information re funding sources is made public as a matter of course) it would be covered by paragraph 6 of Schedule 2 of the Data Protection Act. The release of these data is "necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed"

[2]. Spurling et al's systematic review of how information from pharmaceutical companies impacts physicians' prescribing reported that, of the studies included which looked at total promotional investment, three "found that total promotional investment was positively associated with prescribing frequency...Two...found both positive results and no association...One study did not detect an association" [3]. There is thus a legitimate interest in releasing this register: the available research suggests that it is plausible that payments received influence how public money is spent and the type of care provided to members of the public.

For the reasons given above, there is a strong public interest in releasing this information. While "requests for the personal data of a third party are exempt under section 40(2) of the Freedom of Information Act...if disclosure would contravene section 10 of the Data Protection Act, the right to prevent processing likely to cause damage or distress" [2], I would argue that, even if some of those named in these documents feel that their release would cause them damage or distress, this is outweighed by the significant public interest served by releasing these data.

Powys Response

1. Powys tHB does not hold a register of payments.
 1. Powys tHB holds a register of interests for Board Members only – see attached.
2. The tHB is in the process of developing an organisational-wide process to collect declarations of payments received by employees and this will be established during 2013/14. The Audit Committee has been advised that this process is yet to be fully developed and progress will be reported during the year.

Should you need any further assistance, please do not hesitate to contact us at the address below.

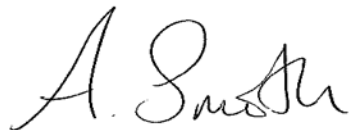
If you are dissatisfied, with the way your request has been dealt with by the teaching Health Board (tHB), you have the right to request a review in which case you should write to:

Andrew Cottom
Chief Executive
Powys Teaching Health Board
Mansion House
Bronllys
Brecon
Powys LD3 0LS

If you are still dissatisfied at the end of the review, you may complain to the Information Commissioner, who can be contacted at the following address:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SH9 5AF

Yours sincerely

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

Amanda Smith
Director of Therapies & Health Science and Executive Lead
for FOI