



**FREEDOM OF INFORMATION ACT 2000
ENVIRONMENTAL INFORMATION REGULATIONS 2004**

SOUTH TYNESIDE NHS FOUNDATION TRUST RESPONSE TO INFORMATION REQUEST

SOUTH TYNESIDE NHS FOUNDATION TRUST RESPONSE TO INFORMATION REQUEST APPEAL

Date Request Received:	14.4.13	Ref	1383
Date Appeal Received:	23.6.13		
Summary: Register of payments from pharmaceutical companies			
Appeal received: <i>I am writing to request an internal review of the Trust's handling of my FOI request 'Register of payments from pharmaceutical companies to staff'.</i> <i>Staff names are absent from the information released. Even if staff names may be classed as personal data (as defined by the Data Protection Act) they 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" [1]. 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" [2]. There is thus a legitimate interest in releasing this register: the available research suggests that it is plausible that payments received influence how substantial amounts of public money is spent and the type of care provided to members of the public. Making these data public will open up further opportunities for academic and journalistic research on the impacts of payments and hospitality. It is important to include the names of those declaring interests: among</i>			

other benefits, this will allow more effective scrutiny of Conflicts of Interest and could allow more extensive analysis: for example, it has been suggested that one could compare declarations on these registers with Conflict of Interest statements on open access pubmed papers.

For the reasons given above, there is a strong public interest in releasing these data in full. 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" [1] 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.

Following an internal review, the following information is provided.

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 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 would request: the release of the information on this topic that the Trust does hold; and an explanation of why the Trust does not hold a complete register

In terms of time period, I would be interested in data for the past 5 years.

2011/12

Date offer took place	Name/ Department	Type	Description	Company	Accepted/ Declined
22/05/2011	C Frey Anaesthetics	Course fees & Accom	Conference fee for Nordic CRRT days in Dusseldorf, Germany, Hotel and meals	Fresenius, Germany	A
26/05/2011	V Campbell Diabetes SN	Vouchers	10x£5 gift voucher HMV, 10x£5 gift voucher Argos - for children with diabetes who have achieved good HbA1 blood test in clinic	Roche	A
22/07/2011	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Fresenius Kabi	A
19/08/2011	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Shire	A
14/10/2011	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Fresenius Kabi	A

02/12/2011	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Shire	A
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2012/13

Date offer took place	Name / Department	Type	Description	Company	Accepted/Declined
29/05/2012	L Spence Surgery	Travel	Hotel and travel for conference	Fresenius Medical Care	A
29/05/2012	G Balaraj Surgery	Travel	Hotel and travel for conference	Fresenius Medical Care	A
17/04/2012	G Mettayil General Medicine	Consultancy	Speaker at conference honorarium of £400.00 (x2)	Boehringer Ingelheim	A
31/05/2012	S Panter Endoscopy	Course fees	£300 to cover travel expenses for BSG conference	Ferring	A
12/10/2012	M Newton Children's Continence Advisor	Course fees	£200 to cover costs for conference 12.10.12 - 15.10.12	Ferring	A
13/07/2012	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Fresenius Medical Care	A
14/09/2012	Whole Department Nutrition Services	Lunch	Sandwich lunch – departmental educational session	Bayer Healthcare	A
25/09/2012	C Sullivan Biochemistry	Course fees	Attendance at 'How to manage point of care in your hospital' course	Roche	A
22/10/2012	S Panter Endoscopy	Travel	Flight hotel and registration at Gastro conference Amsterdam	Warner-Chilcott	A

Prior to 2011, no information available.

Please note – The Trust has strict procedures for deciding which drugs and equipment can be used and individuals are not in a position to influence that process.

In addition, the trust takes part in a joint Drugs and Therapeutics Committee with the local Clinical Commissioning Group which determines which drugs can be used.

Date response sent:	17.7.13
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