

Hyndman

From: Helen Hanna
Sent: 29 March 2012 09:35
To: Claire Hyndman
Subject: FW: Correspondence

Helen Hanna,
Senior Legal Assistant/PA
Directorate of Legal Services
Business Services Organisation
2 Franklin Street
BELFAST
BT2 8DQ

Direct Line: 028 90535585

Please ensure the DLS case reference is on all correspondence

-----Original Message-----

From: Helen Hanna On Behalf Of Alphy Maginness
Sent: 29 March 2012 09:32
To: 'Toogood, Peter'
Subject: RE: Correspondence

Peter,

I am content with your proposed letter to

Regards

Claire

Sent on behalf of Alphy Maginness

-----Original Message-----

From: Toogood, Peter (mailto:Peter.Toogood@dhsspsni.gov.uk)
Sent: 28 March 2012 16:36
To: Alphy Maginness
Cc: Boyd, Linda . Neelia Lloyd External
Subject: Correspondence
Importance: High

Alphy

Hope you're keeping well and thanks for all your works so far on Clin Neg. You'll be pleased to know this is not about Clin neg!

We have drafted a response to latest correspondence with the Department and I would be grateful if you could review and indicate whether you are content with it, both from a factual accuracy point of view, as well as terminology and proposed next steps - it's only a page and essentially suggests that the most appropriate way to resolve issue is for to continue to liaise with DLS.

Many thanks

Peter

Hyndman

From: Helen Hanna on behalf of Alphy Maginness
Sent: 29 March 2012 08:29
To: Claire Hyndman
Subject: FW: Correspondence

Importance: High



Alphy copy.doc (28 KB)



letter to Julie
Thompson 16-ma...

*I am rather into
you proposed letter*

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-----Original Message-----

From: Toogood, Peter [mailto:Peter.Toogood@dhsspsni.gov.uk]
Sent: 28 March 2012 16:36
To: Alphy Maginness
Cc: Boyd, Linda (SSI); Neelia Lloyd External
Subject: Correspondence
Importance: High

Alphy

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Many thanks

Peter

Resources & Performance
Management Group
C5.12
Castle Buildings
Upper Newtownards Road
BELFAST, BT4 3SQ
Tel: 02890520560
Fax: 02890520573
Email: julie.thompson@dhsspsni.gov.uk
Your Ref:
Our Ref:
Date : March 2012

Dear [REDACTED]

I refer to your letter of 16 March.

In the first instance, you have raised the issue of outstanding correspondence with the Southern HSC Trust in relation to claims under the late payment legislation and query how such claims can be pursued when efforts to communicate with the Trust are frustrated.

I understand that the Southern HSC Trust is directing all communication relating to prompt or late payment involving [REDACTED] to its legal advisers at the Business Services Organisation's Directorate of Legal Services (DLS). In that regard, we have therefore liaised with the Southern Trust and DLS to ascertain the nature of correspondence to date. As a result, I understand that Alphy Maginness, the Chief Legal Adviser at DLS, has been corresponding with you over previous months, the most recent of which was on 16 February.

Against this background and on the basis that the issues you raise relate to the commercial relationship between [REDACTED] and the Southern HSC Trust, it would therefore appear that engagement between [REDACTED] and DLS remains the most appropriate way to progress this matter.

With reference to the letter from the Minister for Finance and Personnel, the Minister for Health, Social Services and Public Safety is indeed responsible for setting the Department's policies and for monitoring compliance with any guidance and directions issued. This would extend to the area of prompt payment and in that regard, the Trusts' performance will continue to be monitored on a monthly basis to maintain a focus on this important area.

Yours sincerely

JULIE THOMPSON
Senior Finance Director/Deputy Secretary
Resource & Performance Management Group

[REDACTED]

Urgent

16 March 2012

ByEmail

Ms Julie Thompson
Senior Finance & Personnel Director
Resource Performance and Management Group
Department of Health, Social Services and Public Safety
Belfast

Dear Ms Thompson,

Your letter of 8 March 2012 refers.

You again seem to be suggesting that [REDACTED] liaise with the Trust and its legal advisers to resolve this matter.

For the record could I remind you that

- [REDACTED] has been attempting to liaise with the Trust and its legal advisers on this matter for **over 260 days**.
- The Trusts Legal Advisers initially **took 172 days** to even acknowledge the initial late payment claim.
- Stephen McNally the Southern HSC Trust's Director of Finance acknowledged invoices had been paid late **240 days ago**
- The Minister has been aware of this issue for **at least 220 days**
- It is **over 220 days** since the Minister's Special Adviser wrote acknowledging invoices had been late

In view of the Department's failure both to issue appropriate guidance and ensure appropriate policies are in place for dealing with such claims (as confirmed in the Ministers response to AQW 7816/11-15) can I invite you to suggest how a supplier can be expected to liaise with a Trust where invoices have been paid late in order to resolve

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

legitimate claims under the Late Payment of Commercial Debts (Interest) Act 1988 as amended especially where efforts to communicate are frustrated and delays as detailed are occurring?

In considering your response can I invite you to bear in mind a quote from a letter sent from the Office of the Minister for Finance and Personnel dated 25 October 2011 under reference COR/1327/2011 where it is stated, *"Each Minister in charge of a Department is responsible for its policies and business and is also responsible for ensuring the agencies and arms length bodies comply with any guidance and directions issued."*

I await your further responses.

Yours etc

[REDACTED]

Cc Sammy Wilson MP MLA Minister of Finance and Personnel

[REDACTED]