

PE1493/Q

Scottish Government Letter of 17 April 2014

Dear Andrew

Attached is information that has been pulled together by Finance colleagues. You'll see from the columns the questions that were asked of NHS Boards and their responses. NHS Boards are aware that their returns are being provided to the Committee.

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NHS Scotland Territorial Health Boards - Compliance with HDL (2003) 62

	<p>1. Has the Health Board established a register of interest for all NHS employees and Primary Care Contractors?</p>	<p>2. Are there local standing orders specifying who is responsible for keeping and maintaining the register?</p>
<p>NHS Ayrshire and Arran</p>	<p>NHS Ayrshire & Arran reviewed its Code of Corporate Governance in 2013 and this was disseminated across the organisation. At Section C - Standards of Business Conduct for NHS Staff, para. 3.3 states “Where there is an interest, hospitality or relevant outside employment is declared to a manager, they must record that declaration in the employee’s personal file together with any instructions issued to the member of staff in relation to the declaration. This information must also be provided to the Corporate Business Manager to be recorded as part of the Board’s declaration of interests and gifts.”</p> <p>The Code of Corporate Governance is available on the NHS Ayrshire & Arran intranet and external website.</p> <p>This arrangement does not currently extend to primary care contractors.</p>	<p>The NHS Ayrshire & Arran Code of Corporate Governance states that the Corporate Business Manager is responsible for keeping and maintaining the register of Gifts and Hospitality.</p>
<p>NHS Borders</p>	<p>The Board has established a register</p>	<p>The Code of Corporate Governance details the</p>

	<p>of interest for all NHS Borders Employees. The requirement, procedure & processes in relation to Standards of Business Conduct are detailed within the Board Code of Corporate Governance which is made available to all staff. The Code is reviewed quarterly and approved on an annual basis by NHS Borders Board.</p> <p>In response to your request around holding a register of interests for Primary Care Contractors we currently do not have this in place.</p>	<p>responsibility for holding and maintaining the register of interests, which lies with the Board Secretary.</p>
NHS Dumfries and Galloway	<p>The Corporate Services Manager holds a register of interest for NHS Dumfries and Galloway employees and writes out to all consultants working for the Board on an annual basis asking for notification of pharmaceutical interests.</p> <p>In relation to the Primary Care Contractors, no comprehensive register is held at this time. We are currently undertaking a review of our existing processes to try and establish a more reliable and comprehensive register of interests for all Primary Care Contractors over the coming months.</p>	<p>The Code of Corporate Governance makes reference to conflicts of interest within the standing orders and this is also covered within the Section B (Members Code of Conduct) and Section C (Standards of Business Conduct for Staff) of the Code of Corporate Governance.</p>
NHS Fife	<p>We can confirm that NHS Fife does</p>	<p>The Boards Code of Corporate Governance (Section</p>

	<p>have Registers of Interest covering all our staff.</p>	<p>G) Standards of Business Conduct specifically covers the need to register all interests and where responsibilities lie.</p> <p>This also includes reference to Working with the Pharmaceutical Industry for which we have separate local guidance available on our Intranet.</p>
NHS Forth Valley	<p>The Board has established a Register of Interest for all staff, which is required in the Standard of Business Conduct Policy. This was recently updated having gone through due process of 'consultation/awareness' in the organisation.</p>	<p>The Standard of Business Conduct Policy specifies that the Corporate Services Department is responsible for keeping and maintaining the register with individual Managers responsible for ensuring staff understand the standards.</p>
NHS Grampian	<p>The necessary information referred to in NHS HDL (2003)62 is captured in a number of ways, including a corporate hospitality register which is available to the public. This information is publicly available during normal office hours at the principal offices of the Board</p> <p>We are in the process of reviewing these arrangements and propose to establish specific pharmaceutical joint working related registers for our main hospitals covering:-</p> <p>(i) Joint working arrangements between employees and independent</p>	<p>The requirements of NHS HDL (2003)62 are captured in the Health Board's standing orders.</p>

	<p>Family Health Service Contractors and the pharmaceutical industry; and</p> <p>(ii) Financial interests held by employees and independent Family Health Service contractors with any organisations which may impact upon any funding arrangements made between the Board and any non-NHS organisations.</p>	
<p>NHS Greater Glasgow and Clyde</p>	<p>THE NHS Board as part of its launch in January 2009 of a comprehensive Code of Conduct for Staff (copy attached) introduced an on-line registration system for Registering Interests, Hospitality and Gifts. This was made available via StaffNet - - and a Core Brief was sent to staff to let them know how to access the on-line register, a message was added to payslips and message passed via the Line Management route to ensure staff were aware of it and to use it when relevant to them. Section 1 of the attached Code covers the Gifts and Hospitality matters and Section 2 covers the Register of Interests. Section 18 covers – Working with Suppliers of Clinical Products.</p> <p>The on-line register has been used by</p>	<p>As Head of Board Administration it falls to me [Head of Board Administration] to manage the system in place for staff—hence why I keen to try and renew/improve the current system as soon as possible.</p>

	<p>staff and we have had 3 or 4 Freedom of Information requests pertaining to the information it holds.</p> <p>This Code was re-launched last summer with a number of revisions – mainly as a result of the Bribery Act and general use by staff of the Code and feedback/comments about parts of it to us. The section which was completely re-written was Section 13 on Whistleblowing. There was full communications Plan to re-launch the Code last summer which was agreed in partnership with the staff side representatives.</p> <p>The on-line Register was not particularly user friendly and therefore we have contacted our IT Dept to liaise over developing a new, easier to use system and this work is ongoing.</p> <p>There is not a current Register of Interests system which I am aware which covers GPs, GDPs, etc</p>	
NHS Highland	The Health Board has established a register of interest for all NHS employees and Primary Care Contractors.	The Board's Standing Orders are maintained by Board Secretary.
NHS Lanarkshire	The Board Secretary maintains a	The Board's Standing Financial Instructions covering

	<p>register of interests for Directors of the Board and any Senior employees who are required to be individually disclosed in the remuneration report of the statutory annual accounts.</p> <p>The Director of each division is responsible for maintaining a register of gifts and hospitality for all employees although the Board's standing financial instructions give strict limits on what can be accepted.</p>	<p>procurement require any relevant interests to be declared and debar anyone with a conflict of interests from the decision making process.</p>
<p>NHS Lothian</p>	<p>NHS Lothian has put in place the following:</p> <ul style="list-style-type: none"> • The Board members' Code of Code of Conduct and Register of Interests. There is also a gifts and hospitality register on the same webpage. • Applying the Principles of Good Business Conduct – Procedure and Guidance for All Employees (June 2012) (Appendix 1). This does include a reference to the 2003 Common Understanding. There is documentation within the Procedure that would require any declared interests, or any accepted hospitality and 	<p>The Board's Standing Orders have recently been reviewed, and a draft proposal is going to the Audit & Risk Committee for its review on 10 February.</p> <p>The Standing Orders currently state:</p> <p><i>“13.14 The Corporate Services Manager (or authorised nominee) shall maintain Registers under the provisions of NHS Circular HDL(2003)62 covering:-</i></p> <p style="padding-left: 40px;"><i>Joint working arrangements between employees and independent Family Health Service Contractors and the pharmaceutical industry; and</i></p> <p style="padding-left: 40px;"><i>Financial interests held by employees and independent Family Health Service contractors with any organisations which</i></p>

	<p>entertainment, to be registered at the Procurement department.</p> <ul style="list-style-type: none"> • General awareness of <i>Applying the Principles</i> is supported by an executive summary being included in a Mandatory Policy Package that all Board employees should receive (Appendix 2). • The Area Drugs & Therapeutics Committee developed its processes further by issuing a policy statement (<i>August 2013</i>) on the declaration of interests (Appendix 3). This draws upon <i>Applying the Principles</i> and also refers to the November 2012 Common Understanding. This sets out detailed instructions for making declarations to that committee. <p>In conclusion we have developed detailed processes for the consideration, declaration and recording of relevant interests of individuals. There is however no single register, and our processes do not cover independent contractors.</p>	<p><i>may impact upon any funding arrangements made between the Board and any non-NHS organisations.</i></p> <p><i>13.15 The Register shall be made publicly available during normal office hours at the Principal offices of the Board. “</i></p> <p>We are proposing to remove this from the next version of the Standing Orders, purely so that the content of the Standing Orders focuses just on the procedures relating to the conduct of Board and committee meetings.</p> <p>There is no particular reason as to why the requirements of joint working should be in the Standing Orders whilst a plethora of other detailed responsibilities are not.</p> <p>Development work has begun to fully implement the November 2012 Common Understanding guidance. This will build upon the good work already done to develop systems that will create an appropriate culture of good business conduct.</p> <p>The objective will be to have a robust and transparent system, which is consistent with the rest of NHS Lothian policy and procedure, and is understandable to the employees who are required to follow it.</p>
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	We currently do not have a register of joint working as described in the 2012, however work has begun to develop this (see below). The work will involve ensuring that there is clarity in the organisation as to what “joint working” actually means.	
NHS Orkney	NHS Orkney has an established register of interest for all NHS employees but there is no direct reference to Primary Care contractors – this will be included when reviewed this year.	NHS Orkney’s Board Secretary is responsible for keeping and maintaining the register.
NHS Shetland	The declaration of interest register is maintained and held within the Chief Executive’s office by the Corporate Services Manager.	The board policy on conduct that covers this matter identifies the Corporate Services Manager as the point of contact. http://www.shb.scot.nhs.uk/board/documents/corpgov-section7.pdf
NHS Tayside	The Board maintains a register of interests for all NHS employees, which is publically available. In addition the Code of Corporate Governance requires registration of all sponsorship arrangements.	The Code of Corporate Governance provides guidance on registration of interests and sponsorship. The Board Secretariat maintains the register and regularly promotes registration through Vital Sign communications and by reminder e-mails.
NHS Western Isles	The Board has a number of registers of interest for employees and Primary Care Contractors; however we are aware that some cohorts of staff are potentially not covered by these registers and we are seeking to address this with a centralised	Whilst there are local standing orders regarding the keeping and maintaining of a register of interests, there are none which currently relate specifically to the pharmaceutical industry.

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