

Mr Andrew Howlett
Public Petitions Committee
T3 40 Scottish Parliament
Edinburgh
EH99 1SP

15 January 2014

Dear Mr Howlett

CONSIDERATION OF PETITION PE1495

Calling on the Scottish Parliament to urge the Scottish Government to ban the use of confidentiality, or so called 'gagging', clauses in compromise agreements with NHS staff in Scotland, which may prevent staff speaking freely about matters that affect patient safety and quality of care, as well as employment issues such as workplace bullying.

Thank you for your letter of the 6th December 2013 asking:

- What are your views on what the petition seeks and the discussions that took place at the meeting on 26 November?

I note from the record of discussion that you have invited us to comment as we play "an important role for the consumer voice in health services".

The Scottish Health Council was established as a committee of NHS Quality Improvement Scotland in 2005 to 'support, ensure and monitor' the discharge by NHS Boards of their duties of public involvement and patient focus (equal opportunities) and in 2011 the Scottish Health Council was included as a committee of Healthcare Improvement Scotland, the successor body to Quality Improvement Scotland.

Our role has been to support and monitor the involvement activities of the NHS in Scotland. At the time of our establishment it was not felt that there was a need for the Scottish Health Council to have a formal role in speaking directly on behalf of patients and the public, but rather that the Scottish Health Council should encourage and support mechanisms for that voice to be heard. We have pursued this role in a variety of ways, and are currently seeking to strengthen our role in how we support the patient and public 'voice', but as we have no formal mechanism or remit for speaking collectively on behalf of patients in Scotland we are unable to provide you with a view on their behalf regarding the issues you are currently considering under petition PE1495.

I am sorry I cannot be more helpful on this matter. I would be happy to meet with members of the Committee to more fully explain our role and those areas where we may be able to be of assistance to the Committee in the future.

Yours sincerely

Richard Norris
Director

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The Scottish Health Council is part of Healthcare Improvement Scotland