

Correspondence from the Public Audit Committee to the Scottish Government, dated 28 February 2014

AUDITOR GENERAL FOR SCOTLAND (AGS) REPORT “NHS FINANCIAL PERFORMANCE 2012/13” AND “MANAGEMENT OF PATIENTS ON NHS WAITING LISTS – AUDIT UPDATE”

Thank you for giving evidence to the Public Audit Committee with the Cabinet Secretary for Health and Wellbeing to give oral evidence on the above reports, at the [meeting on 19 February 2014](#).

During the session, the Cabinet Secretary and supporting officials agreed to provide further information to the Committee on issues raised. I have set these out below, along with the relevant Official Report column number, for ease of reference.

Treatment times guarantee (TTG)

In evidence, the Cabinet Secretary outlined from the Patient Rights (Scotland) Act, actions that should be taken by Boards where the TTG has been breached. This is also set out in Annex A of your 13 February letter (at 1-3(c)). At the meeting, the Scottish Government also agreed to provide:

- a breakdown, by NHS Board, of the number of times that the TTG has been breached in 2012/13 and within that breakdown, the number of times each Board has had to take each action referred to by the Cabinet Secretary; (Cols 2125-2126)
- confirmation of whether the Cabinet Secretary has had to contact any Health Board on behalf of a patient where their TTG has not been met;
- a flow chart of the information given to each patient on how and at what stage they can exercise their right to the TTG. (Col 2127)

Confidentiality agreements

In your letter, you provided information on a review which showed that from 2011-12 onwards, 147 out of 148 settlement agreements used in NHS Scotland Boards included confidentiality agreements. The Committee requested:

- that, if possible, you extend this review to include compromise or settlement agreements from 2007-08 onwards; (Col 2135)
- confirmation of the number of compromise or settlement agreements in the NHS which include confidentiality agreements by year, since 2007-08, and the cost of including confidentiality agreements in each of these years; (Col 2137)
- further information on the number of compromise or settlement agreements that had a confidentiality agreement inserted at the request of the employee; (Cols 2134 and 2136)

Protected disclosures

- You agreed to provide further information on the total number of protected disclosures that have been made to NHS Scotland over the past 5 years.
- Also, how many of the people who have signed compromise or settlement agreements since 2007 have also made protected disclosures? (Cols 2137-2138)

Other information

You also offered to provide the Committee with the following-

- a breakdown of extra funding provided by the Scottish Government to each NHS Board to address capacity or financial issues, along with details of each Board's action plan for the use of that funding; (Cols 2128-2129)
- a copy of the data you referred to from the Office of National Statistics breaking down waiting time statistics across the UK; (Cols 2150-2151)
- a summary of action proposed in relation to precision medicine, to improve health outcomes. (Cols 2151-2152)

I would welcome a response to this letter by close on 24 March. Should you require any further information, please do not hesitate to contact the Clerks on 0131 348 5236 or by email at: pa.committee@scottish.parliament.uk

Yours sincerely

Hugh Henry MSP
Public Audit Committee Convener