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██████████

By email: ██████████

Date 30th May 2022
Your Ref FOI-2022-000075
Our Ref FOI-2022-000075

Enquiries to Scott Barnett
Email nss.foi@nhs.scot

Dear ██████████

Freedom of Information Request Reference: FOI-2022-000075

I refer to your request for internal review dated 30th April 2022 under the Freedom of Information (Scotland) Act 2002 (FOISA) for information in relation to your original request, which was as follows:

The first Document that I attach is dated June 2019 and titled Effective use of Support Garments for parastomal Hernia. It states that it was ratified by the Scottish Executive Nurse Director Group. I believe that this group may come under the auspices of your Operation. The contact on it is no longer employed by the NHS in Scotland. Can I check is this document is owned by NSS and/or Scottish Government or in your role as Chief Executive of NSS Scotland can you shed light on the ownership of it?

Can I ask as well are the recommendations contained within it, just that recommendations or indeed Scottish Government Policy or a Policy Document from NSS Scotland. Or are they even just part of a paper on Health care?

Also, can I ask for a copy of the Equality Impact Assessment that would have had to be completed if this is indeed a policy document?

On the Second Document Titled: National Stoma Quality Improvement which again says this was ratified by the Scottish Executive Nurse Director Group. Again, I believe that this group comes under the auspices of your NSS/Scottish Government Operation. Can I check is this document is owned by NHS Scotland and/or Scottish Government or in your role as Chief Executive of NSS can you shed light on the ownership of it?

Can I ask as well are the recommendations contained within it, just that recommendations or indeed Scottish Government Policy or a Policy Document from NSS. Or are they even just part of a paper on Health care?

Also, can I ask for a copy of the Equality Impact Assessment that would have had to be completed if this is indeed a policy document?

I do note again on this paper that there is no patient involvement, however there is the involvement of a trades group that promotes the interests of the Pharmaceutical Industry. A trades group that also employs political lobby groups for to promote their interests. Can I ask is it NSS/Scottish Government policy to exclude patients when important papers like this are being drawn up that could have far reaching consequences to the care that they receive?



Chair Keith Redpath
Chief Executive Mary Morgan

NHS National Services Scotland is the common name of the Common Services Agency for the Scottish Health Service.

Or is it NSS/Scottish Government Policy to have patients front and centre and involved in decision making?

I can confirm that an internal review was carried out on 19th of May 2022 by a panel who were not involved in the provision of the original response to you. The internal review panel reviewed your original request alongside the response provided to you by the Procurement, Commissioning and Facilities (PCF) business unit within NHS National Services Scotland (NSS), and also the grounds of your appeal for internal review, which were as follows:

As you are aware NSS provided Project Management and secretariat support for the report referred to in my FOI. As you stated Craig Stewart like a number of others are no longer employed with the NHS in Scotland and the report is owned by the SNLQ or SLWG (whatever abbreviation is being used). Can you please give contact details for this group?

I would presume that it is reasonable to expect NSS (who provided support to this group) to have a way of contacting the group. It would also be reasonable to expect NSS in providing assistance to a member of the public with an FOI to provide them with this helpful information.

If you can provide this information that would be great. If you cannot then I would like the answer to this part of my FOI reviewed as surely Quangos/groups with about 20/30 NHS Employees cannot just disappear into the ether. I have heard it happen with rogue builders but surely not with quasi Government groups that NSS has provided support for.

After reviewing the response issued by PCF, the panel reviewed Appendix 1 (page 8) of the attached Terms of Reference document for the National Stoma Quality Improvement Short Life Working Group (NSQIG) and determined that the NSQIG reported into a Scottish Executive Nurse Director Group (SEND) representative.

After performing an online search, I managed to find out that [Ms Claire Pearce \(Director of Nursing & Midwifery at NHS Tayside\) is the Deputy Chair of SEND](#), who then told me that Ann Gow (Director of Nursing & Midwifery & Allied Health Professionals at NHS Healthcare Improvement Scotland) is now the current Chair of SEND.

After speaking to Ann I have discovered that the NSS Board Services Team provide the secretariat for SEND.

The NSS Board Services Team can be contacted using the following email address:

nss.boardservices@nhs.scot

Having reviewed our SEND records I have attached some information that may be of some interest to you, i.e.

- 2020-08-22 AMcLeod to Committee Services - FW NSQIG Report and press release document_Redacted.pdf
- STOMA report 2020 Final.pdf
- Accompanying letter for Stoma Report Final.doc
- National Stoma Quality Improvement Group Report FAQ and Recommendations Final.doc
- New NHS report could transform stoma care for thousands in Scotland_Redacted.pdf
- 2020-08-22 Committee Services to NHSS Boards - FW NSQIG Report and press release documents_Redacted
- 2020-08-10 AMcMahon to Committee Services - FW NSQIG Report and press release documents_Redacted
- 2020-08-14 Committee Services to SEND - FW National Stoma Quality Improvement SLWG (NSQIG)_Redacted
- P4 NSQIG SEND

NSS have made redactions in line with [Section 38\(1\)\(b\) of FOISA for "Third Party Data"](#) to direct email addresses and telephone numbers. The names of the Committee Services have been withheld as this group of staff have no expectation that their personal information would be released into the public domain. Release of this information would contravene Article 5(1)(a) of the UK General Data Protection Regulation in which personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

In order to request any information from SEND please submit an FOI request to us here at NSS using the email address nss.foi@nhs.scot.

I hope that this information is useful to you, however if you have any queries regarding this FOISA internal review letter that you feel are relevant please do not hesitate to contact me at the email address nss.foi@nhs.scot

If you are dissatisfied with the outcome of the review, you have the right, within six months of receipt of this review decision, to apply for a decision to the Scottish Information Commissioner who can be contacted at:

Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS

You also have the right of appeal, on a point of law, to the Court of Session.

Yours sincerely,

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Organisation Lead for Corporate Records & FOI