

[REDACTED]

Letter issued by email

Date: 11 August 2026
Our Ref: FOI2026-3428
Enquiries to: Freedom of Information
Email: psd.foi@nhs.scot

Dear [REDACTED]

Freedom of Information Reference: FOI2026-3428

Thank you for your information request received on 21 July 2026 by Public Services Delivery Scotland (PSD Scotland).

From 1 April 2026, NHS Education for Scotland (NES) and NHS National Services Scotland (NSS) joined to form Public Services Delivery Scotland (PSD Scotland), enabling transformation in health, social care, and the wider public sector. This means your Freedom of Information request is now being responded to by PSD Scotland.

Your Request

Scottish Government - Scottish Procurement Policy Notes - 05022026

I am writing on behalf of Galloway Friends of MAP, a Dumfries and Galloway based group which supports the work of the UK charity [Medical Aid for Palestinians](#) (MAP). I write looking for your reassurance that PSD Scotland's procurement policies and practices are in line with the latest advice from the Scottish Government. Particularly relevant are their [Scottish Procurement Policy Notes](#) (SPPN) published on the 5th of February 2026, which specifically state that, where companies are found to be involved in illegal Israeli settlements in the Occupied Palestinian Territories, then...

'Public bodies should consider whether a bidder's conduct amounts to grave professional misconduct for the purposes of procurement law. It is the longstanding view of the Scottish Government that the exploitation of assets in illegally occupied territories is likely to constitute grave professional misconduct and could therefore give rise to a ground for exclusion.'

As Chief Executive of PSD Scotland, I know you and the Chair of your Audit Committee will want to ensure that due diligence is being carried out when assessing the suitability of companies bidding for contracts with your organisation. The SPPN mentioned above make clear that, as part of such due diligence, public bodies will want to ascertain whether any company bidding for a contract is benefitting from the exploitation of assets in illegal Israeli settlements in Palestinian territories. The officers of such companies, or those involved in their supply chains, are 'very likely to be regarded' as guilty of 'grave

Chair Mr Keith Redpath
Chief Executive Professor Karen Reid

professional misconduct', and Scottish public bodies such as your own may therefore choose to exclude them from their procurement process.

The Scottish Government already has a long-standing expectation that public bodies' procurement policies should 'respect the principles and requirements of relevant human rights instruments' (SPPN 02/2026), such as the [UN Guidance on Business and Human Rights](#). There is a large body of evidence that the state of Israel is routinely committing Human Rights violations. The [UN Independent International Commission of Inquiry on the Occupied Palestinian Territories](#) concluded that the State of Israel has committed genocide against the Palestinian people and the major international humanitarian aid agencies operating in the region have reached the same conclusion: [Oxfam](#), [Save the Children](#), [Medecins sans Frontieres](#) and [Medical Aid for Palestinians](#) have all made clear that the UN description of the Israeli campaign as a genocide is absolutely in agreement with their own experiences on the ground in Gaza.

In addition to this body of evidence, the International Court of Justice concluded in January 2024 that there was a plausible case under the 1948 Genocide Act that [Israel was committing genocide](#).

Running in parallel with events in Gaza, the rapid expansion of illegal Israeli settlements in the West Bank has inexorably continued, with ever-increasing violence against Palestinian residents. Since October 2023, the Israeli Defence Forces (IDF) and Israeli settlers have [killed more than 1,000 civilians in the West Bank](#), a quarter of them children.

Furthermore, since the 2nd of March 2026, Israeli attacks on Lebanon have killed c. 3,700 people, with a further 8,400 being injured and many villages completely obliterated. In addition, hundreds of thousands of Lebanese civilians have been forced to flee their homes.

Faced with such overwhelming evidence of widespread and large-scale human rights abuses, Scottish public bodies will want to avoid companies benefitting from such actions.

On September 3rd 2025 First Minister John Swinney [stated in the Scottish Parliament](#) that...

'...in the face of genocide there can be no business as usual'.

We ask you to ensure that your organisation is taking all necessary steps to ensure it is fully compliant with government advice. In summary, the Scottish Government has made clear that you should consider excluding from your bidding process any companies guilty of the 'grave professional misconduct' that being involved in the exploitation of assets in illegal Israeli settlements necessarily involves. Can I please ask for your assurance that PSD Scotland is carrying out such due diligence?

I wish to advise under the Freedom of Information (Scotland) Act 2002 (FOISA), that PSD Scotland can provide a full response to your request.

PSD Scotland's procurement activity is undertaken in accordance with all applicable Scottish Government procurement policy, legislation, and statutory guidance, together with relevant national NHS Scotland and public sector procurement requirements. This includes compliance with Scottish Procurement Policy Notes (SPPNs), the Procurement Reform (Scotland) Act 2014, the Public Contracts (Scotland) Regulations 2015, and associated guidance relating to ethical procurement, sustainability, human rights, and supplier due diligence. Procurement processes incorporate appropriate governance and assessment mechanisms to

ensure that suppliers are considered in line with applicable exclusion grounds and other legal and policy requirements. PSD Scotland keeps its policies and practices under regular review to ensure continued alignment with Scottish Government and national policy developments.

If you are dissatisfied with this reply under the terms of the Freedom of Information (Scotland) Act 2002, you should contact us again in writing or by email within 40 days of receipt of this response to request an internal review.

If you remain unhappy with the outcome of that internal review, you have the right to apply directly to the Scottish Information Commissioner for a decision within six months of receiving our response. For further information, please visit the Scottish Information Commissioner's [website](#).

Yours sincerely

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