AUDITOR GENERAL FOR SCOTLAND REPORT – REVIEW OF ORTHOPAEDIC SERVICES

Following the meeting on 8 September 2010, where you took evidence from myself and colleagues from SGHD and NHSScotland regarding the Auditor General for Scotland Report – Review of Orthopaedic Services, I undertook to provide you with further written evidence on a number of issues.

The Committee asked for:

- clarification of whether NHS Lothian’s procurement costs have risen as a result of the national procurement costs and confirmation of whether or not they remain within the national procurement contract.

- further information on how many rehabilitation co-ordinators are to be appointed, where they will be located, what their salary level will be and whether these co-ordinators are likely to be clinical staff.

- an update from the Chief Medical Officer regarding whether it was possible for the ODEP ratings to be made available for knee replacements.

Procurement

NHS Lothian’s procurement have confirmed that the National Procurement contract did not lead to an increase in price. Delivered savings of £177,000 were verified through the Health Board for the contract February 2008-August 2010.

NHS Lothian have also confirmed that they have never withdrawn from the National Procurement contract for Orthopaedics. NHS Lothian did consider using the mini competition option from within the previous contract, (following the success of a similar process with Greater Glasgow and Clyde supported by National Procurement), but decided not to process with that route and are now actively engaged with the revised contract. Lothian participated fully in the previous contract which ran from February 2008–August 2010.

Rehabilitation Co-ordinators

Rehabilitation Co-ordinators have been appointed in each NHS board. The rehabilitation co-ordinators are new time limited appointments, and have been filled with existing staff on a seconded basis as indicated by Dr Burns. These posts are seconded from within their own NHS Boards. The secondees mostly come from Allied Health Professional and Nursing backgrounds. Post holders will return to their previous posts when funding ceases and their work will be embedded into Local Service Delivery Plans. Rehabilitation Co-ordinators have an Agenda for Change pay banding of 8A (£36,851-£46,621).

ODEP Ratings
We understand that the Medicines and Healthcare Products Regulatory Agency (MHRA) decided in 2004 when it first produced ODEP ratings of hip replacements that technical differences between hip and knee replacements made it impossible to apply appropriate criteria to knee replacements and so they did not produce ODEP ratings for knee prostheses.

The guidance used to produce ODEP ratings are determined by the National Institute for Clinical Excellence which has indicated it intends to review its guidance in May 2011.

I trust this information is helpful.

Yours sincerely

JOHN CONNAGHAN
Director of Delivery

AUDITOR GENERAL FOR SCOTLAND REPORT – REVIEW OF ORTHOPAEDIC SERVICES

At its meeting on 8 September 2010, the Public Audit Committee took oral evidence from John Connaghan, Director of Health Delivery, Dr Harry Burns, Chief Medical Officer, and Stephen Gallagher, Deputy Director Health Delivery, Scottish Government; Colin Sinclair, Director of National Procurement, NHS National Services Scotland.

An extract of the Official Report of the meeting is available at the following link:

http://www.scottish.parliament.uk/s3/committees/publicAudit/or-10/pau10-1301.htm

Written Evidence

At that Committee meeting a number of witnesses committed to provide the Committee with further written evidence on a number of issues. I have set these out below and I would be grateful for your response to the questions by Monday 18 October. Please do let me know if this time frame presents you with any difficulties. Further information on the publication of written submissions is contained in the enclosed policy on the treatment of written evidence by committees.

National Procurement
At its meeting on 9 June 2010, the Committee heard from Colin Howie, chair of the Scottish Committee for Orthopaedics and Trauma that NHS Lothian’s costs had increased by 10 percent as a result of the national procurement contract established four years ago.1 As a consequence NHS Lothian was stepping out of the national procurement contract. This view was contradicted by Colin Sinclair, at the Committee meeting of 8 September, when he stated that he had consulted procurement colleagues in NHS Lothian who confirmed that they were not withdrawing from the contract.

The Committee would welcome clarification of whether NHS Lothian’s procurement costs have risen as a result of the national procurement costs and confirmation of whether or not they remain within the national procurement contract. It would also be helpful if you could clarify how these differing views may have arisen.

Rehabilitation Co-ordinators
In oral evidence to the Committee, John Connaghan explained that NHS Boards were recruiting a rehabilitation co-ordinator in every health board to monitor the quality of rehabilitation, the provision of the service and the delivery of the national rehabilitation strategy.

The Committee would welcome further information on how many rehabilitation co-ordinators are to be appointed, where they will be located, what their salary level will be and whether these co-ordinators are likely to be clinical staff.

---

1 Official Report, Public Audit Committee, 9 June 2010; Col 1754
It would also be helpful if you could clarify whether the rehabilitation co-ordinators are to be new appointments as indicated by John Connaghan, or whether they are existing staff (and not new appointments) as indicated by Dr Burns.

**Orthopaedic Data Evaluation Panel (ODEP)**

At its meeting on 9 June 2010, the Committee heard from Colin Howie about the ODEP ratings for hip replacements. Colin Howie then explained that it would be advantageous to also have the ODEP ratings available for knee replacements and requested that the Scottish Government should put pressure on the Medicines and Healthcare products Regulatory Agency (who support ODEP) to provide such ratings.

At the Committee meeting on 8 September, Dr Burns acknowledged that whilst it may be more difficult for ODEP ratings to be provided for knee replacements nevertheless he would pursue this matter further.

The Committee would welcome any update you could provide on any progress that has made with this matter.

Should you require any further information please do not hesitate to contact the Clerk, Jane Williams on 0131 348 5236 or by email at pa.committee@scottish.parliament.uk.

Yours sincerely

**Hugh Henry MSP**  
**Convener**  
**Public Audit Committee**
Policy on treatment of written evidence by subject and mandatory committees

This information lets you know how committees of the Scottish Parliament will deal with any information sent in response to calls for evidence and any subsequent correspondence.

Most people who submit evidence want it to be put in the public domain. In addition, the committees of the Scottish Parliament are committed to being open in their dealings in accordance with the Scottish Parliament’s founding principles.

Our normal practice is to publish relevant evidence that is sent to us on our website and we may also include it in the hard copy of any committee report. Therefore, if you wish your evidence to be treated as confidential, or for your evidence to be published anonymously, please contact the Clerk to the Committee, before you submit your evidence.

You should be aware that it is for the relevant Committee to decide whether the evidence can be accepted on the basis that it will be seen in full by the committee but will not be published, or will be published in edited form or anonymously. See section on “Freedom of Information (Scotland) Act 2002” below.

There are a few situations where we do not publish all the evidence sent to us. This may be for practical reasons or for legal reasons. Examples of practical reasons are where the number of submissions we receive does not make this possible or where we receive a large number of submissions in very similar terms. In that case, we would normally publish only a list of the names of people who have submitted evidence.

In addition, there may be a few situations where we may not choose to publish your evidence or have to edit it before publication for legal reasons.

Data Protection Act 1998
The Parliament must comply with the Data Protection Act 1998. This affects what information about living people we can make public.

When we publish your evidence, we will not publish your signature or your personal contact information (like your home telephone number or your home address).

We may also have to edit information which can identify another living person who has not specifically given their consent to have information about them made public.

In these situations, committee members will have access to the full text of your evidence, even if it has not been published in full.

If you consider that evidence that you plan to submit may raise issues concerning the Data Protection Act, please contact the Clerk to the Committee before you submit your evidence.

Potentially defamatory material
Typically, the Parliament will not publish defamatory statements or material. If we think your submission contains potentially defamatory material, typically, we will return it to you with an invitation to substantiate the comments or remove them. In these circumstances if the
evidence is returned to us and it still contains material which we consider may be defamatory, it may not be considered by the committee and it may have to be destroyed.

**Freedom of Information (Scotland) Act 2002**
The Parliament is covered by the Freedom of Information (Scotland) Act 2002. This also affects the way that we deal with your evidence.

As stated above, if you wish your evidence to be treated as confidential, or for your evidence to be published anonymously, please contact the Clerk to the committee, before you submit your evidence.

In particular you should be aware that if we receive a request for information under the Freedom of Information (Scotland) Act 2002, we may be legally required to release the information to the person who has made the request – even where the Committee has agreed to treat all or part of the information in confidence.

So, in the circumstances outlined above, while we can assure you that your document / name will not be circulated to the general public in the context of the committee’s current work, we are unable to give you a guarantee that the document will never be released.