

PE1493/B

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Andrew Howlett
Assistant Clerk
Petitions Committee
Scottish Parliament

Scotland National Office

**** By Email****

18 December 2013

Dear Andrew,

Petition PE1493: Calling on the Scottish Parliament to urge the Scottish Government to introduce a Sunshine Act for Scotland, creating a searchable record of all payments (including payments in kind) to NHS Scotland healthcare workers from Industry and Commerce.

The BMA is an independent trade union and voluntary professional association which represents doctors and medical students from all branches of medicine across the UK. With a membership of over 150,000 worldwide - around 16,000 in Scotland - we promote the medical and allied sciences, seek to maintain the honour and interests of the medical profession and promote the achievement of high quality healthcare.

The BMA welcomes the opportunity to provide comment to the Petitions Committee on Petition PE1493 which proposes the introduction of a Sunshine Act for Scotland.

Collaborative working between the life science industry and healthcare professionals utilises the experience of both sectors and it can be an important driver in ensuring continued advancement in medical science and patient care. It is essential that patients can have confidence in the integrity of these relationships. General Medical Council (GMC) guidance makes it clear that doctors have a responsibility to ensure that their conduct at all times justifies patients' trust in them and in the medical profession. Financial conflicts of interest, real or perceived, can lead to a breakdown in public trust.

The BMA supports the principle that financial transactions between commercial organisations and named healthcare professionals should be transparent; meaningful transparency can only be achieved if these transactions are publicly declared. Transparency allows public, employer and political scrutiny of relationships between commercial organisations and health professionals, allowing these stakeholders to judge whether financial arrangements advance the best interests of patients and medicine.

It should be noted that transparency is not an end in itself and disclosure is not the only factor to be taken into consideration in maintaining public trust. Financial relationships between industry and healthcare professionals have the potential to represent, or be seen to represent, unacceptable and unethical conflicts of interest. Some payments should neither be offered by industry nor accepted by healthcare professionals. Introducing a system which makes financial transactions more open does not, and

Scottish Secretary: Jill Vickerman

should not be seen to, legitimise all transactions of this kind or remove the responsibility on both commercial organisations and individual healthcare professionals to act with probity at all times.

In summary, the BMA supports in principle the proposal to introduce a register which details payments made by industry and commerce to healthcare professionals. Such a measure could help to improve public confidence in collaborations between healthcare professionals and industry and support the drive to increase transparency. A single database seems to be the most practical solution to making this information available.

Yours sincerely,

Jill Vickerman
Scottish Secretary
British Medical Association