

the Information Commissioner's Office and ask that they investigate whether the BSO has complied with the terms of the Freedom of Information Act.

You can contact Information Commissioner at:

Website: www.ico.org.uk
Phone: 0303 123 1113
Email: casework@ico.org.uk
Post: Information Commissioner's Office
3rd Floor, 14 Cromac Place
Belfast
BT7 2JB

In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out. However the Commissioner has the option to investigate the matter at his discretion.

Yours Sincerely,

A handwritten signature in cursive script that reads "Karen Bailey".

Karen Bailey
Acting Chief Executive

Public Interest Test

| Public Interest Test [FOI 1587 – request for Pharmaceutical data] Exemption claimed in respect of Section 43(2) of the Freedom of Information Act 2000 (Commercial Interests) | |
|---|---|
| In favour of disclosure of information | In favour of not disclosing information |
| Details of public service contractor processes require openness, transparency and accountability. There may be interest in knowing commercial activities are conducted in an open and honest way. | Disclosure of the requested data would potentially enable anyone to establish how commercially active a pharmaceutical contractor is and could cause concerns around commercial sensitivity. Disclosure therefore has the potential to cause significant detriment to the working relationship the Health and Social Care Board and the HSC Business Services Organisation has with its Community Pharmacy contractors, particularly at a time when the HSC is already under severe pressure. |
| | In order for the HSCB and BSO to provide a responsive and robust Pharmaceutical Service, they must be permitted to maintain its excellent working relationship with its Primary Care Partners. It is this working relationship which to date has ensured patient care is maintained with the minimum disruption – even throughout the COVID Pandemic. |
| | To provide the information sought would be likely to prejudice the commercial interests of any other parties involved in the process (i.e. the pharmaceutical contractors) and damage good commercial relations with the other parties. The disclosure of such information could potentially expose BSO to claims of breaches of confidentiality. |
| | Due to the impact of Brexit and the NI Protocol, HSCB and BSO are in the process of developing a Drug Tariff Intelligence Unit for Northern Ireland. Disclosing this information could undermine confidence and have a detrimental impact on the establishment of this vital unit. |

