

13th February 2023

BY EMAIL

Our Ref: FOI 1877

Dear [REDACTED],

Your request for information was received on 26th January 2023 and was dealt with under the terms of the Freedom of Information Act 2000. Please be advised that the Business Services Organisation (BSO) has now completed its search for the information you requested. You have sought:

- **For each calendar month from January 2019 to the latest available data month, I would like information on reimbursed prescriptions by Chemist (this is the dispenser organisation code used in the “Dispensed Items by GP and Pharmacy” publication found here <https://www.opendatani.gov.uk/dataset/dispensing-by-contractor>)**
- **Please note that this request intentionally does not require both Chemist code and prescriber code, but does require Chemist code and BNF code.**
- **The following fields ONLY are required:**
- **Date (Dispensed Year_Month), Chemist, VMP_NM, AMP_NM, Presentation, Strength, BNF Code, Quantity, Items, Gross Cost**

I wish to advise you that the information you have requested is deemed exempt.

This exemption is claimed in respect of Section 43(2) of the Freedom of Information Act 2000 (Commercial Interests). Section 43 is a qualified exemption and as such a Public Interest Test is attached.

I hope that the information provided assists you. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date



of issue of this letter, as the BSO, along with all other public authorities are not obliged to accept internal review requests after this period has lapsed.

In the event that you require a review to be undertaken, you can do so by writing to

Information Governance Manager,
2 Franklin Street,
Belfast,
BT2 8DQ

If, following an internal review, carried out by an independent decision making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to 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 black ink that reads "Karen Bailey". The signature is written in a cursive style and is positioned above a horizontal dotted line.

for Karen Bailey
Chief Executive

Public Interest Test

Public Interest Test [FOI 1877 – 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
<p>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.</p>	<p>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 Department of Health Strategic Performance and Planning Group (SPPG) and the HSC Business Services Organisation has with its Community Pharmacy contractors, particularly at a time when the HSC is already under severe pressure.</p>
	<p>In order for SPPG 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.</p>
	<p>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.</p> <p>The disclosure of such information could potentially expose BSO to claims of breaches of confidentiality.</p>
	<p>Due to the impact of Brexit and the NI Protocol, SPPG 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</p>

	detrimental impact on the establishment of this vital unit.
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30th March 2023

BY EMAIL

Our Ref: FOI 1877

Dear 

We are writing to you in response to your request for a review of the above referenced Freedom of Information request, received by the Business Services Organisation on 24th February 2023.

Firstly, please accept our apologies for the delay in providing you with a formal panel outcome.

We can advise that a review panel was convened on 13th March 2023 to evaluate the matter. This panel consisted of Ms Julie Erskine (Chair, BSO) and Mr Ben Doran (Assistant Director Information Technology Services, BSO).

In reviewing your request and the formal response issued, along with the points raised within your request for a review, the panel asked that they adjourn to seek further clarification from third parties – namely the Department of Health Strategic Planning and Performance Group (SPPG) and Community Pharmacy Northern Ireland (CPNI).

The panel reconvened on 28th March to consider the further information made available to them regarding this matter including:

- how arrangements with community pharmacies in Northern Ireland differ from England and Wales;
- the commercially sensitive nature of the information;
- the identifiable information at a contractor level which could potentially undermine the working relationship between the SPPG and CPNI; and
- future policy matters and potential damage to the community pharmacy sector and detriment to the working relationship between it and BSO/SPPG in this context.



In respect of the exemption applied within the formal response - Section 43(2) of the Freedom of Information Act 2000 (Commercial Interests) – the panel agreed that this exemption should be applied and as such agreed to uphold the formal response issued to you on 15th February 2023.

The Panel hope that they have been able to provide you with further clarification in respect of the response that was issued to you in relation to your request.

If, following this internal review, carried out by the above named independent decision-making panel, you remain dissatisfied in any way with the handling of the request, you may make a complaint under Section 50 of the Freedom of Information Act, to 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

Yours Sincerely,



Ms Julie Erskine

BSO Chair



Mr Ben Doran

Assistant Director Information
Technology Services, BSO

[REDACTED]

From: [REDACTED]
Sent: 10 August 2023 09:25
To: FOI BSO
Subject: Re: FOI 1877: Freedom of Information request - dispensing data

Categories: Julie

Hi [REDACTED],

Yes, that's great, I've been able to access the files.

Many thanks,

[REDACTED]

From: [REDACTED]
Sent: 09 August 2023 09:35
To: [REDACTED] >
Subject: RE: FOI 1877: Freedom of Information request - dispensing data
"This email is covered by the disclaimer found at the end of the message."

Morning [REDACTED]

The BSO Family Practitioner Services have advised that the issue should be fixed now to allow you to access the data. If you have any further problems accessing it just let me know?

Best regards

[REDACTED]

From: [REDACTED]
Sent: 08 August 2023 08:51

To: [REDACTED]
Subject: RE: FOI 1877: Freedom of Information request - dispensing data
Sorry [REDACTED] – it works fine for me -so am thinking it may be to do with external access then?
Let me check with the information team in BSO FPS who provided the information & link and I will get back to you asap.
Best regards
[REDACTED]

From: [REDACTED] >
Sent: 08 August 2023 08:49
To: [REDACTED]
Subject: Re: FOI 1877: Freedom of Information request - dispensing data
Hi [REDACTED]
No, I am still getting the same error message, no data.
[REDACTED]

From: [REDACTED]
Sent: 08 August 2023 08:47
To: [REDACTED]
Subject: RE: FOI 1877: Freedom of Information request - dispensing data
"This email is covered by the disclaimer found at the end of the message."

Morning [REDACTED]
If you can just try to click on the link below again – copy and paste the password to access – and let me know if you can now access?
<https://gpdatasets.hscni.net/foiquerydata/>
Best regards,
[REDACTED]

From: [REDACTED]
Sent: 07 August 2023 08:48
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: FOI 1877: Freedom of Information request - dispensing data
Good morning [REDACTED]
[REDACTED]