

PE1495/II

Petitioner Email of 12 November 2015

FAO Michael McMahon MSP, Chair of Public Petitions Committee, Holyrood.

Dear Michael,

Following my email yesterday I would like to ask the Public Petitions Committee if, in further consideration of my petition (PE 1495) they would request the attendance of the Cabinet Secretary for Health and a representative of ACAS at the next hearing of my petition.

Will you please do this?

Given the import and gravity of the Scottish Government report into the performance and use of confidentiality clauses in public settlement agreements in the NHS ([annual report on the use of settlement agreements April 2014 – March 2015](#)) you will no doubt be as disturbed as myself to learn that **(two years after the cabinet secretary stating that the presumption would be against the use of such gagging clauses!)** in the period stated, April 2014 – March 2015, **more than 30% of NHS settlement agreements still held gagging clauses! This is quite unbelievable!**

The cost of the NHS Settlement Agreements alone came to almost £1,000,000 for 30 Settlement Agreements!!!

The Cabinet Secretary for Health will also be disturbed to learn of this.

The fact that ACAS still provides the NHS with 'a model Settlement Agreement that includes a standard confidentiality clause' when the Cabinet Secretary's presumption is against the use of these seems highly suspect and irregular? (Points 13 & 15 of the report). Can you please explain this?

I shall also now submit my serious questions in my submission of 2 November relating to the SG report to the Cabinet Secretary for Health's office. These questions need answers now.

Yours aye,

Rab Wilson